

Exhibit 1

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11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
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NO. 1:20-CV-03127-SAB

DECLARATION OF NIKKI
ANTHONASIN IN SUPPORT
OF PLAINTIFF STATES'
MOTION FOR TEMPORARY
RESTRAINING ORDER

DECLARATION OF NIKKI
ANTHONASIN

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ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
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(206) 464-7744

1 I, NIKKI ANTHONASIN, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. I am the Clerk Craft Director of Manual and Mechanization for the
5 American Postal Workers Union at the United States Postal Service, and have
6 held this position since April 2019. I was previously a union steward at the
7 Milwaukee Mail Processing Annex and the Milwaukee Processing and
8 Distribution Center since July of 2015. I work at the Milwaukee Mail Processing
9 Annex (MMPA) in Oak Creek, WI. As the Clerk Craft Director of Manual and
10 Mechanization I represent the entire Clerk Craft at the MMPA and all Clerks in
11 the manual units at the Milwaukee Processing and Distribution Center (P & DC)
12 in downtown Milwaukee. Included in the manual units that I represent are
13 Expeditor Clerks, whose job duties include monitoring the schedules of all mail
14 drivers and trailers. My daily job duties at the Postal Service entail operating
15 automated parcel sorting machines. I have been employed with the Postal Service
16 since 1998.

17 3. I am aware of recent changes to Postal Service operations involving
18 overtime policy and mail truck departure policy from the Oak Creek facility.

19 4. In late March to early April of 2020, the Oak Creek facility started
20 seeing significant increases in mail volume, above even that normally received
21 during the holiday season. Although Postal Service staff typically do not work at
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1 both the Oak Creek and downtown Milwaukee locations, that policy was initially
2 relaxed in order to handle the overflow. Another option for handling overflow
3 was to transfer extra mail from the Oak Creek to the downtown Milwaukee
4 facility for processing. These procedures worked well for the first week or two to
5 handle the overflow.

6 5. But then toward the end of June or early July, management at the
7 downtown Milwaukee facility began restricting certain forms of overtime for
8 employees at that facility. Specifically, they restricted employees from earning
9 double-time overtime for working more than 10 hours in a single day or on a
10 second scheduled off-day during a single week. Certain aspects of time-and-a-
11 half overtime were also restricted.

12 6. At the Oak Creek facility at around the same time, a similar
13 restriction was put in place on double-time overtime for the second scheduled
14 off-day during a single week.

15 7. After these overtime restrictions were put in place, available
16 employees at both the Oak Creek and downtown Milwaukee facilities were not
17 fully utilized to handle overflow mail at the Oak Creek facility. In other words,
18 the overtime restrictions drastically cut the available workforce at both facilities.

19 8. At around this same time, significant amounts of incoming mail
20 began backing up at the Oak Creek facility. I witnessed large numbers of trailers
21 waiting to be unloaded at the facility, with up to 30 to 40 backed up trailers sitting
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1 outside the facility on some days. For example, on July 12, 2020, my notes
2 indicate that 39 trailers of mail were backed up. These backed up trailers included
3 trailers with Priority Mail, which is very unusual in my experience.

4 9. The Oak Creek facility did not have enough staff available to unload
5 all this incoming mail. Although it requested support from the downtown
6 Milwaukee facility, the overtime restrictions there meant that it could not send
7 more of its staff to help out at Oak Creek. Similarly, because of the overtime
8 restrictions at the downtown Milwaukee facility, the Oak Creek facility could not
9 transfer its overflow mail to the downtown Milwaukee facility for processing—
10 the downtown Milwaukee facility did not have enough staff to handle Oak
11 Creek's overflow mail, either.

12 10. As a result, the Oak Creek facility was forced to transfer some
13 overflow mail to other facilities around Wisconsin, and even one in Illinois.

14 11. Toward the end of July, the mail volume at the Oak Creek facility
15 decreased, along with the most severe backups. However, in recent weeks I have
16 still sometimes seen around four to eight trailers backed up at the Oak Creek
17 facility. As recently as August 30th, 2020, I saw four trailers backed up at the
18 Oak Creek facility.

19 12. I had never seen backups this large at the Oak Creek facility before
20 this summer. Perhaps two to four trailers would be backed up in the past on
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DECLARATION OF NIKKI
ANTHONASIN

1 particular heavy days, but I do not recall ever seeking 30 to 40, or even four to
2 eight, trailers backed up at the same time before this summer.

3 13. To the best of my knowledge, the overtime restrictions remain in
4 place at both the Oak Creek and downtown Milwaukee facilities.

5 14. At around the same time that the overtime restrictions were put in
6 place, another policy change regarding outgoing truck scheduling occurred at
7 both the Oak Creek and downtown Milwaukee facilities. Under that new policy,
8 no outgoing mail trucks could leave behind schedule, even if more mail remained
9 to be loaded. Before that policy was put in place, mail trucks had a significant
10 amount of flexibility to leave later than a scheduled departure time in order to
11 ensure no mail was left behind.

12 15. Another aspect of this new policy was that facilities could not
13 schedule extra truck delivery runs in a given day if some mail remained to be
14 delivered. For example, during June 2020 the Oak Creek facility ordered around
15 seven to nine extra trucks per day to deliver overflow mail to East Coast
16 locations. The new policy prohibited this kind of overflow measure.

17 16. The new policy meant that outgoing mail trucks had to leave the
18 processing facility at the scheduled departure time with whatever mail had been
19 loaded by then.

20 17. The effect of this policy was that if the facility could not deliver all
21 mail in a given day, that excess mail had to wait for a future delivery time.
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1 18. I witnessed significant backups of outgoing mail occur inside the
2 Oak Creek facility at around the time this new policy took effect. Mail that had
3 already been processed was not being loaded onto outgoing mail trucks for
4 delivery because those trucks had to depart on schedule, before they were fully
5 loaded.

6 19. Some mail trucks would even leave empty from our facility, just so
7 they could leave on schedule. This can happen because it takes time to unload
8 incoming mail from a truck for processing. By the time all the incoming mail is
9 unloaded, there might not be enough time left before the truck's scheduled
10 departure time to load it up with outgoing mail.

11 20. The delays caused by backed up mail on the sorting floor
12 compounded themselves. It can be difficult to sort through lots of mail backed up
13 on the sorting floor, which further increases loading times for outgoing mail
14 trucks. So, the more backed up mail on the sorting floor, the longer it takes to
15 load the trucks, the more trucks have to leave before they are fully loaded, and
16 the more mail becomes backed up on the sorting floor.

17 21. These backups can lead to significant delays for outgoing mail. It is
18 not always true that a piece of mail left behind on a given day necessarily makes
19 it on a truck for delivery the next day, even though that is the goal. When
20 significant backups occur on the floor of the processing facility, an item of mail
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1 might be buried in the backup for many days before it is found and placed on an
2 outgoing truck.

3 22. To the best of my knowledge, the truck departure scheduling
4 restrictions remain in place at both the Oak Creek and downtown Milwaukee
5 facilities.

6
7 I declare under penalty of perjury under the laws of the State of Wisconsin
8 and the United States that the foregoing is true and correct.

9 DATED this 5th day of September, 2020, at Oak Creek, Wisconsin.

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12 Nikki Anthonasin
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DECLARATION OF NIKKI
ANTHONASIN

Exhibit 2

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NO. 1:20-cv-03127-SAB

DECLARATION OF JESSICA
ARNDT IN SUPPORT OF
PLAINTIFF STATES' MOTION
FOR PRELIMINARY
INJUNCTION

DECLARATION OF
JESSICA ARNDT
NO. 1:20-cv-03127-SAB

1

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1 I, Jessica Arndt, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. I am a resident of Minneapolis, Minnesota. I have been a clinical
5 social worker for nearly eleven years.

6 3. I have voted in every election since I turned eighteen in the year 2000.
7 I generally follow politics and believe that is it my civic duty to be informed and
8 vote.

9 4. I first voted absentee in 2016 because I was out of state during the
10 time of the general election. I received by ballot in a timely manner and returned it
11 without incident.

12 5. I attempted to vote absentee again in the 2020 primary. I requested by
13 my ballot two to three weeks before the August primary. I did not receive my
14 ballot before the primary election.

15 6. Following the primary, I contacted the Minneapolis Office of Election
16 and Voter Services. They informed me that my ballot had in fact been mailed on
17 August 5. I still have not received that absentee ballot.

18 7. I had planned to vote absentee for the general election because of the
19 pandemic. Due to the problem in receiving my primary ballot, I plan on voting in
20 person in November.

DECLARATION OF
JESSICA ARNDT

2

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1 8. I believe it is important that I am able to cast my ballot. I have
2 already had COVID-19, and am recovered now. But I plan on taking the risk of
3 going to a polling location to ensure that I am able to vote.

4 9. I believe that if people are unable to vote absentee during a pandemic
5 such as this it will lead to voter suppression. I feel that I was the victim of voter
6 suppression for the primary. Because voting is such an important civic duty I will
7 be casting my vote in person because I do not believe that I can trust in the
8 absentee voting system to get my ballot in on time.

9 I declare under penalty of perjury under the laws of the States of Washington
10 and Minnesota and the United States of America that the foregoing is true and
11 correct.

12 Dated: 9/4/2020

Jessica Arndt

JESSICA ARNDT

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DECLARATION OF
JESSICA ARNDT

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Exhibit 3

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NO. 1:20-cv-03127-SAB

DECLARATION OF MARY
BARTOLOMUCCI IN
SUPPORT OF PLAINTIFF
STATES' MOTION FOR
PRELIMINARY INJUNCTION

DECLARATION OF
MARY BARTOLOMUCCI

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
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1 I, MARY BARTOLOMUCCI, declare:

2 1. I am a resident of the State of Illinois. I am over the age of 18 and
3 make this declaration from personal knowledge and based on records from the
4 Illinois Department of Healthcare and Family Services ("HFS"). If called as a
5 witness, I could and would testify competently to all the matters set forth below.

6 2. I am the Interim IV-D Administrator of the Division of Child Support
7 Services ("DCSS") within HFS. The DCSS Administrator is responsible for
8 implementing the Title IV-D Program of the 1975 Social Security Act. I have
9 held this position since July 1, 2018.

10 3. DCSS administers the Title IV-D Program of the 1975 Social
11 Security Act. The Child Support Services program establishes and enforces the
12 financial responsibility of parents for their children. DCSS establishes paternity,
13 establishes child support orders (including medical support provisions),
14 enforces orders and medical support for children, and distributes child support
15 collections. In addition, DCSS locates non-custodial parents and their financial
16 assets, reviews and adjusts support orders, and handles interstate and
17 international child support cases.

18 4. As of August 1, 2020, DCSS was coordinating child support benefits
19 for approximately 425,000 custodial parents' child support cases, which
20 account for approximately 640,000 children. Our caseload is comprised of 96%
21 women; the racial makeup of the customers we serve is 43% Black, 41% White,
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1 8% Hispanic, and 7% unknown. Our caseload also represents a significant
2 population of low-income minority groups.

3 5. DCSS's primary method of communication with these individuals
4 and households is through mail delivered by the United States Postal Service
5 ("USPS").

6 6. Prompt mail service is crucial for the administration of child support
7 because interruption in mail service will cause delays in Illinois children
8 receiving necessary, court-ordered benefits. Unfortunately, any delay—
9 particularly significant delays—can wreak catastrophic results on children who
10 depend on these funds to meet their basic needs, as well as on well-meaning
11 non-custodial parents who are trying to comply with child support orders but
12 are stymied by unreliable mail service.

13 7. The child support process is complicated and heavily dependent on
14 the mail at each step. Accordingly, continuous mail delays at each step of the
15 child support process will cause significant and severe repercussions for
16 children who depend upon that financial support. For example,

17 a. A delay in an employer's receipt of our Income Withholding
18 Order for the collection of child support will result in missed
19 payments towards the collection of child support for
20 families.

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- b. A delay in an employer's receipt of the National Medical Support Notice will result in the delay of medical coverage for children.
- c. A delay in an employer's receipt of new hire reporting instruction may result in the delay in the service of income withholding, impacting child support received by families.
- d. A delay in child support payments received by the State Disbursement Unit ("SDU") will postpone disbursements to families, which will result in financial hardship.
- e. A delay in mail would postpone the receipt of payments sent out through the Illinois Comptroller's Office for child support, which will result in financial hardship.
- f. A delay in the agency's receipt of an application could result in interruptions in providing location services, establishment, disestablishment, and enforcement of court-ordered child support obligations and establishment of paternity.
- g. A delay in the agency's receipt of a Voluntary Acknowledgement of Paternity ("VAP") could result in delays in providing information to the Illinois Department of Public Health ("IDPH") and our customers. This would also

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- 1 delay IDPH's ability to add a father's missing name to a
2 birth certificate, which would delay the establishment of
3 support that would provide financial support to the family.
- 4 h. A delay in the agency's receipt of requests for account
5 redeterminations, timely protests, or appeal requests could
6 result in delayed or denied outcomes. This could also result
7 in improper enforcement through our administrative
8 enforcement processes, which include, but are not limited to,
9 bank liens, tax offsets, and driver's license suspensions.
- 10 i. A delay could also result in an inadvertent case closure if not
11 notified in a timely manner.
- 12 j. A delay in our receipt of requested information from both
13 our custodial and non-custodial parents would result in a
14 delay in preparing a case for modification request.
- 15 k. A delay could also postpone our ability to provide and
16 request child support services for clients where another state
17 is involved. These cases would all have the exact same
18 issues as illustrated above in regards to location,
19 establishment, enforcement, and paternity establishment.
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1 8. In addition, mail delays affect our ability to function effectively with
2 county partners that we rely upon to establish and modify child support
3 obligations and establish paternity.

4 9. For example, when an individual applies for services, they must
5 provide documents to DCSS that includes information like personal financial
6 data. DCSS in turn provides that information to the State's Attorney to file a
7 Legal Action Referral ("LAR"), the mechanism used to petition the court to
8 establish or modify child support or establish paternity.

9 10. Accordingly, the delay in receiving the referral can postpone the
10 amount of relief a customer receives. For example, if a non-custodial parent
11 needs a modification for a current support obligation due to job loss, the result
12 is not instantaneous; they must wait until the matter is filed in the court through
13 the LAR process. Likewise, in the case of paternity, delays in the return of
14 paperwork and the ultimate finding of parentage will postpone the
15 establishment of child support.

16 11. Aside from the postal service, no other reliable form of
17 communication exists for many of our required documents. For example, the
18 National Medical Support Notice is federally required to be sent out to each
19 employer to verify access to medical coverage. Specifically, this Notice is
20 issued under section 466(a)(19) of the Social Security Act and section
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1 609(a)(5)(C) of the Employee Retirement Income Security Act of 1974
2 (“ERISA”).

3 12. DCSS sends out between 2,000-3,000 notices per month. There is not
4 currently an option to send or receive this information from employers
5 electronically; it is solely reliant on USPS mail services. The Income
6 Withholding Notice (“IWN”) also relies heavily on USPS mail services. There
7 are some employers that are able to receive the document electronically, but the
8 majority of employers still are only able to receive the document through the
9 mail. We send on average 35,000 to 40,000 IWNs per month. All requests for
10 account reviews and appeals are processed through USPS mail services. All
11 VAP forms are also completely reliant on USPS mail services.

12 13. In addition, the postal service is the only viable method that DCSS
13 has to contact the majority of our customers who pay into or receive child
14 support benefits. For example, electronic mail is not feasible as many of our
15 customers may not have regular or reliable access to the Internet, and we have
16 found that email addresses are not maintained and change frequently. We do
17 communicate with our customers through email received through the internet
18 and the customer service call center, but documents that are sent to our
19 customers are mailed. In addition, private delivery or courier services are cost-
20 prohibitive. As a result, DCSS relies heavily upon USPS and developed its
21 method to distribute benefits in reliance on timely, efficient mail delivery.
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1 14. In addition, we receive payments from many countries, especially
2 Mexico and Canada. The SDU is monitoring what USPS reports regarding
3 expected delays by country, and, unfortunately, we have seen payments from
4 Mexico and Canada returned incorrectly to the SDU, which delays money
5 getting to individuals.

6 15. Mail delays resulting from the proposed cuts to the postal service will
7 impact approximately 125,233 paper checks per month through the SDU and
8 40,000 paper checks per month through the Illinois Comptroller's Office, which
9 together represent approximately 165,000 paper checks sent through USPS.
10 These combined checks total approximately \$35 million per month in child
11 support payments. Delays to these benefits will have a significant impact on the
12 population of cases we serve.

13 16. For families with child support orders, child support is one of the
14 largest sources of income and makes up half of the income of low-income
15 parents who receive it. Our program serves over 600,000 children and is only
16 behind Medicaid and SNAP in helping lift children and families out of poverty.
17 Research shows regular child support payments reduce child poverty, promote
18 parental responsibility and involvement, and improve children's educational
19 outcomes. Additionally, the COVID-19 pandemic has caused economic
20 disruption across the country, which has led to increased difficulty in accessing
21 affordable and healthy food and meeting the family's financial obligations. This
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1 has hit children particularly hard. School closures have caused increased strain
2 on family food budgets as they need to replace meals that would have been
3 provided to school age children. The pandemic has also exacerbated racial
4 inequities in food insecurity. Black and Hispanic households are now about
5 twice as likely as White households to be struggling with food, and nearly four
6 out of ten Black households with children are experiencing food insecurity.
7 Delays in any of the processes that lead to child support checks to families
8 could have a disastrous effect.

9 **I declare under penalty of perjury under the laws of the State of**
10 **Washington and Illinois and the United States that the foregoing is true**
11 **and correct.**

12
13 DATED this 3RD day of September, 2020, at Springfield, Illinois.

14 
15 MARY BARTOLOMUCCI
16 Interim IV-D Administrator, Division of Child
17 Support Services
18 Illinois Department of Healthcare and
19 Family Services
20
21
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DECLARATION OF
MARY BARTOLOMUCCI

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Exhibit 4

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NO. 1:20-cv-03127-SAB

DECLARATION OF JOCELYN
BENSON IN SUPPORT OF
PLAINTIFF STATES' MOTION
FOR PRELIMINARY
INJUNCTION

DECLARATION OF JOCELYN BENSON

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
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1 I, Jocelyn Benson, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. I am the elected Secretary of State for the State of Michigan. *See*
5 Mich. Const. 1963, Art. 5, § 21.

6 3. By statute, I am Michigan's Chief Election Officer with supervisory
7 control over local election officials in the performance of their duties. *See* Mich.
8 Comp. Laws § 168.21. In that capacity, I also oversee the Bureau of Elections,
9 which is responsible for the integrity of the state's elections by ensuring election
10 laws are followed, training and advising 1,603 clerks, compiling election results
11 for federal and state elections and providing instructional materials.

12 4. Under Michigan's Constitution, "every citizen of the United States
13 who is an elector qualified to vote in Michigan shall have . . . the right, once
14 registered, to vote an absent voter ballot without giving a reason, during the forty
15 (40) days before an election, and the right to choose whether the absent voter
16 ballot is applied for, received and submitted in person or by mail." Const. 1963,
17 art 2, §4(1)(g).

18 5. An application for an absent voter ballot may be made by a written
19 request signed by the voter, on an absent voter ballot application form provided
20 by the clerk, or on a federal postcard application. MCL 168.759. The application
21 may be returned by mail or by delivering it in-person. *Id.*
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1 6. Requests to have an absent voter ballot mailed must be received by
2 the local clerk no later than 5:00 p.m. the Friday before the election. MCL
3 168.759.

4 7. Mailed ballots must reach the clerk before the close of the polls at
5 8:00 p.m. on election day to be counted. MCL 168.764a; MCL 168.720.

6 8. Mailed ballots that reach the clerk after the polls close on election
7 day are rejected and may not be counted, even if they were postmarked before
8 Election Day.

9 9. Local clerks in Michigan use both First Class and marketing mail to
10 mail ballots. Historically, the USPS has worked with the state and clerks to
11 ensure that election mail is marked and receives expedited service regardless of
12 the class of mail.

13 10. In 2019 and 2020, the state, clerks, and print vendors have expended
14 significant time and money on ensuring absent voter ballot envelopes meet USPS
15 standards for election mail. Since a statewide election in March 2020, the state
16 has allocated more than \$2 million for the purchase of absent voter ballot
17 envelopes that meet these standards. The state led this effort largely at the urging
18 of the USPS. The USPS did not request that absent voter ballot envelopes be sent
19 only by First Class mail as part of this process. Rather, the state's expectation
20 was that USPS would continue to provide expedited service for election mail
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22

DECLARATION OF JOCELYN BENSON

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 regardless of class, and that increased statewide compliance with USPS design
2 standards for election mail would facilitate this service.

3 11. Voters pay First Class to have ballots returned, though some local
4 jurisdictions prepay for postage.

5 12. On July 29, 2020, Mr. Thomas Marshall, General Counsel for the
6 USPS, sent a letter to me, Michigan Secretary of State Jocelyn Benson, to notify
7 me that “certain deadlines for requesting and casting mail-in ballots [in
8 Michigan] are incongruous with the Postal Service’s delivery standards.”
9 Accordingly, Mr. Marshall notified me that “this mismatch creates a risk that
10 ballots requested near the deadline under state law will not be returned by mail
11 in time to be counted under your laws as we understand them.”

12 13. Mr. Marshall also advised me that, as a result of the Postal Service’s
13 delivery standards, to the extent the mail is used to transmit ballots to and from
14 voters, “there is significant risk that, at least in certain circumstances, ballots may
15 be requested in a manner that is consistent with your election rules and returned
16 promptly, and yet not be returned in time to be counted.”

17 14. The scourge of COVID-19 in Michigan has increased reliance on
18 voting by mail by more than 50 percent. In Michigan’s previous statewide
19 election in March, under 40 percent of voters cast ballots by mail. In the August
20 election, 65 percent of votes were cast by mail (a record for a statewide election).

21
22
DECLARATION OF JOCELYN BENSON

ATTORNEY GENERAL OF WASHINGTON
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1 15. The August election set a state record for number of votes by mail
2 (1.6 million) despite having much lower turnout than November presidential
3 elections. Although we have not yet received statewide empirical data, my
4 Department has received reports from several clerks that ballots they put in the
5 mail took several weeks to reach voters.

6 I declare under penalty of perjury under the laws of the State of Michigan
7 and the United States that the foregoing is true and correct.

8 DATED this 18th day of August, 2020, at Detroit, Michigan.

9 

10 JOCELYN BENSON
11 Secretary of State
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DECLARATION OF JOCELYN BENSON

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
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Exhibit 5

1 ROBERT W. FERGUSON
Attorney General
2 NOAH GUZZO PURCELL, WSBA #43492
Solicitor General
3 NATHAN K. BAYS, WSBA #43025
KRISTIN BENESKI, WSBA #45478
4 ANDREW R.W. HUGHES, WSBA #49515
CRISTINA SEPE, WSBA #53609
5 *Assistant Attorneys General*
EMMA GRUNBERG, WSBA #54659
6 TERA M. HEINTZ, WSBA #54921
(application for admission forthcoming)
7 KARL D. SMITH, WSBA #41988
Deputy Solicitors General
8 800 Fifth Avenue, Suite 2000
Seattle, WA 98104
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10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.

NO. 1:20-cv-03127-SAB

DECLARATION OF ANNE
BIPES IN SUPPORT OF
PLAINTIFF STATES' MOTION
FOR PRELIMINARY
INJUNCTION

18 I, Anne Bipes, declare as follows:

19 1. I am over the age of 18, am competent to testify as to the matters
20 herein, and make this declaration based on my personal knowledge.
21
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DECLARATION OF
ANN BIPES

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

2. I am a resident of Saint Louis Park, in Hennepin County, Minnesota.

3. I am temporarily staying with a friend of mine in Portola Valley, California.

4. On July 23, 2020, I submitted an electronic application through the Minnesota Secretary of State's website for a Minnesota absentee ballot to enable me to vote in the statewide primary election that was held on August 11.

5. According to the Secretary of State's website, my absentee ballot was mailed to me from Minnesota on July 23. The ballot did not reach me in California until August 4, 12 days later.

6. At that time, I was concerned that if I returned my completed ballot by standard U.S. Mail, it would not reach election officials in Minnesota in time to be counted in the August 11 primary. As a result, on August 5, I sent my completed ballot to the Hennepin County election office by Priority Mail, which promised expedited delivery but cost \$7.75.

7. The Postal Service reported that my ballot was delivered to the county election office on August 8. I learned from the Secretary of State's website that the ballot was accepted by election officials. If I had not sent my ballot by the expedited Priority Mail service, I do not believe it would have arrived in time to be counted.

DECLARATION OF
ANNE BIPES

2

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
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(206) 464-7744

1 8. I have voted in every even-year election since I became old enough to
2 be eligible to vote. I believe that voting is a responsibility as well as right and a
3 privilege. It is of utmost importance to me that every voter's vote is counted, and I
4 am deeply opposed to any attempt to impair any person's right to have their vote
5 received and counted.

6 9. I am concerned about my ability to cast an effective vote in
7 Minnesota's November 2020 general election. Because I expect to stay in
8 California until after Election Day, I will need to use the absentee process to cast
9 my ballot. In light of my experience casting a ballot in the primary, I am concerned
10 that using the mail process from 2,000 miles away from my home could lead to
11 delivery delays that could prevent my vote from being timely received and
12 counted.

13 I declare under penalty of perjury under the laws of the States of Washington
14 and California and the United States that the foregoing is true and correct.

15 Dated: August 18, 2020

/s/ Anne Bipes

ANNE BIPES

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DECLARATION OF
ANNE BIPES

3

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

Exhibit 6

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Solicitor General
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KRISTIN BENESKI, WSBA #45478
4 ANDREW R.W. HUGHES, WSBA #49515
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5 *Assistant Attorneys General*
EMMA GRUNBERG, WSBA #54659
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(application for admission forthcoming)
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10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
18
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21
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NO. 1:20-cv-03127-SAB

DECLARATION OF ELISA
CAFFERATA IN SUPPORT OF
PLAINTIFF STATES' MOTION
FOR PRELIMINARY
INJUNCTION

DECLARATION OF ELISA
CAFFERATA

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, Elisa Cafferata, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. I am the Acting Director for the Nevada Department of
5 Employment, Training and Rehabilitation (“DETR”), the Nevada state agency
6 responsible for administering and distributing unemployment benefits to
7 qualified recipients.

8 3. DETR relies upon the United States Postal Service to administer its
9 benefit programs.

10 4. Specifically, DETR’s method of payment for the traditional
11 unemployment program recipients is a prepaid debit MasterCard issued by Bank
12 of America.

13 5. The prepaid debit cards are transmitted to recipients by United
14 States Mail.

15 6. Given Nevada’s historic unemployment rate during the COVID-19
16 emergency, DETR is serving many first-time benefit recipients, which requires
17 mailing them the prepaid debit cards.

18 7. Delays in mail service delay benefit payments to these first-time
19 recipients, harming Nevada’s ability to administer the benefit programs and
20 harming recipients.

21

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DECLARATION OF ELISA
CAFFERATA

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 8. DETR also relies on the United States Postal Service to transport
2 other important unemployment insurance-related documentation to recipients.


3 9. As noted to recipients in the "Nevada Unemployment Insurance
4 Facts for Claimants," failure to have an updated address may result in a delay or
5 a denial of benefits.

6 10. Similarly, delays in mail service may result in missed deadlines and
7 denial of benefits, harming Nevada's ability to administer these benefit programs
8 and harming Nevadans who otherwise are qualified for benefits.


9 11. I declare under penalty of perjury under the laws of the State of
10 Nevada and the United States that the foregoing is true and correct.

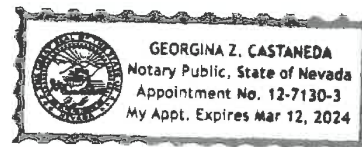
11 DATED this 19th day of August, 2020, at Carson City, Nevada.

12 State of Nevada
13 Carson City


ELISA CAFFERATA
Acting Director, Nevada Department of
Employment, Training and Rehabilitation

15 Signed and sworn to before me on Aug. 19, 2020
16 by Elisa Cafferata.

17 
18 Signature of notarial officer



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21
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DECLARATION OF ELISA
CAFFERATA

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

Exhibit 7

1 ROBERT W. FERGUSON
2 *Attorney General*

3
4
5 **UNITED STATES DISTRICT COURT**
6 **EASTERN DISTRICT OF WASHINGTON**
7 **AT YAKIMA**

8 STATE OF WASHINGTON, et
9 al.,

10 Plaintiff,

11 v.

12 DONALD J. TRUMP, et al.,

13 Defendants.

NO. 1:20-CV-03127

DECLARATION OF
JOSEPH COGAN

14 I, Joseph Cogan, declare as follows:

15 1. I am over the age of 18, am competent to testify as to the matters
16 herein, and make this declaration based on my personal knowledge.

17 2. I have been a United States Postal Service (USPS) employee for
18 over 36 years. In addition to my role as a Postal Clerk for the USPS, I currently
19 serve as President of the Portland Oregon Area Local (Portland Local) of the
20 American Postal Workers Union (APWU), a role I have held since 2016. I
21 make this declaration personally and not on behalf of any organization or entity.
22

DECLARATION OF
JOSEPH COGAN

10423341v2

1

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 3. The Portland Local represents over 1000 postal service workers in
2 more than 30 communities in Northwest Oregon, including Oregon's three most
3 populous counties.

4 4. The USPS Distribution Center in Portland Oregon (Portland
5 Distribution Center) is one of the newest and largest mail processing facilities
6 in the United States and handles mail originating in and destined for the entire
7 Willamette Valley and a number of Oregon communities on the east side of the
8 Cascade Mountains. At this time the Portland Distribution Center operates 24
9 hours a day, seven days a week sorting mail and packages.

10 5. I am familiar with operations in the Portland Distribution Center. I
11 worked as a Postal Clerk in the predecessor facility in Portland, and as part of
12 my duties as Union President I visit the Portland Distribution Center two or
13 three times each week.

14 6. Portland Local represents USPS workers in multiple job classes
15 including clerks, expeditors, and carriers. I regularly communicate with union
16 members employed across different job functions regarding policies, working
17 conditions, and mail volumes in the Portland Distribution Center and other
18 USPS facilities in Northwest Oregon.

19 7. The USPS has recently made several significant changes to the
20 way it processes and delivers mail in the State of Oregon, including reducing
21
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DECLARATION OF
JOSEPH COGAN
10423341v2

2

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
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(206) 464-7744

1 the mail sorting capacity in the Portland Distribution Center and imposing and
2 then retracting rules affecting distribution and delivery schedules.

3 8. The Portland Distribution Center recently removed 5 out of 40
4 high capacity mail sorting machines for handling letter-sized mail (rectangular
5 mailpieces up to 6 1/8 x 11 1/2 inches). The high capacity mail sorting
6 machines handle up to 35,000 pieces of mail per hour and those removed
7 represent approximately 12% of letter-sized mail capacity in the Portland
8 Distribution Center. The Portland Distribution Center also recently removed
9 one of 1 of 4 flat sorting machines for handling magazines and large envelopes.
10 This reduced capacity makes it less likely the facility will be able to process all
11 mail prior to the departure of trucks conveying mail for delivery.

12 9. Ballots for state, local, and national elections are of the dimensions
13 processed by high capacity mail sorting machines. Oregon conducts elections
14 by mail only. USPS in Oregon experiences noticeable increases in volume
15 associated with elections, including the distribution of ballots and voter
16 pamphlets, and the return of ballots by votes.

17 10. Since March of 2020 package mail volume passing through the
18 Portland Distribution Center has increased to resemble the high volumes USPS
19 handles during December holidays.

20 11. Mail routing and handling includes these common steps: a mail
21 carrier on a daily route picks up outgoing mail from various sources, including
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DECLARATION OF
JOSEPH COGAN

10423341v2

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ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
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1 from private mailboxes and public blue boxes. When the mail carrier finishes
2 their route, they bring that outgoing mail back to the local postal station, where
3 it is put on a truck that will take it to a regional processing center in the
4 evening. At the processing center, mail is postmarked and sorted by destination.
5 Most mail to a local or in-state destination will be loaded onto a truck the next
6 morning that will take it to a station for delivery.

7 12. One of the recent changes to the way mail is being processed in
8 Oregon is that trucks traveling between stations and processing centers must
9 now depart their origin facility by a set time each day, without exception. This
10 applies both to trucks leaving stations at the end of the day to take outgoing
11 mail to a processing center, and to trucks leaving processing centers in the
12 morning to take mail to a station for delivery.

13 13. Previously, if a large volume of mail was nearly complete,
14 meaning being postmarked and sorted for delivery, trucks could wait to make
15 sure they got all the mail that should go to the station that day. Now, however,
16 those trucks must also leave at the set time without any exception. As a result,
17 mail that was nearly done being processed will may miss the truck entirely and
18 could sit at the facility for at least another day until it can be driven to the
19 station for delivery.

20 14. In the past, significant changes such as removal of equipment
21 impacting mail handling capacity, or changes in policies affecting the timeliness
22

1 of mail delivery, were announced well ahead of their implementation. Personnel
2 that I represent at the Portland Distribution Center and postal stations in our
3 region have not been able to fully assess likely impacts to the system. These
4 changes have been announced and put into place with very little notice.

5 I declare under penalty of perjury under the laws of the State of Oregon
6 and the United States that the foregoing is true and correct.

7 DATED this 3 day of September, 2020, at Portland, Oregon.

8
9 
10 _____
11 JOSEPH COGAN

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DECLARATION OF
JOSEPH COGAN

10423341v2

5

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
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Exhibit 8

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CRISTINA SEPE, WSBA #53609
5 *Assistant Attorneys General*
EMMA GRUNBERG, WSBA #54659
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(application for admission forthcoming)
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10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
18
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NO. 1:20-cv-03127-SAB

DECLARATION OF KEITH
COMBS IN SUPPORT OF
PLAINTIFF STATES' MOTION
FOR PRELIMINARY
INJUNCTION

DECLARATION OF COMBS

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, Keith Combs, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. I am the local president for the Detroit District Area Local of the
5 American Postal Workers Union, AFL-CIO.

6 3. Among other duties, I supervise the officers and stewards of our
7 local union.

8 4. I have also operated mail sorting machines for the United States
9 Postal Service (USPS).

10 5. I learned from Union stewards that USPS removed four (4)
11 Delivery Bar Code Sorter mail sorting machines all at once from the George W.
12 Young Post Office in Detroit.

13 6. I was told that the removal of these machines occurred after the
14 appointment of Postmaster General Louis DeJoy.

15 7. Typically, a DBCS can process approximately 32,000 pieces of
16 mail in an hour.

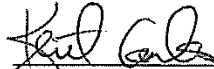
17 8. Based on my experience, the removal of machines like the DBCS's
18 could slow down the mail sorting process. In some situations, decreasing the
19 number of available machines can make it more difficult to keep the mail
20 sorting process going because there are fewer secondary machines available
21 when another machine breaks down.
22

DECLARATION OF COMBS

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I declare under penalty of perjury under the laws of the State of Michigan
2 and the United States that the foregoing is true and correct.

3 DATED this 20th day of August, 2020, at Lansing, Michigan.

4
5 

6 Keith Combs
7 Local President, Detroit district
8 American Postal Workers Union
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DECLARATION OF COMBS

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
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Exhibit 9

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Solicitor General
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4 ANDREW R.W. HUGHES, WSBA #49515
CRISTINA SEPE, WSBA #53609
5 *Assistant Attorneys General*
EMMA GRUNBERG, WSBA #54659
6 TERA M. HEINTZ, WSBA #54921
(application for admission forthcoming)
7 KARL D. SMITH, WSBA #41988
Deputy Solicitors General
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Seattle, WA 98104
9 (206) 464-7744

10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
18
19
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21
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NO. 1:20-cv-03127-SAB

DECLARATION OF LESLIE
CULLY IN SUPPORT OF
PLAINTIFF STATES' MOTION
FOR PRELIMINARY
INJUNCTION

DECLARATION OF
LESLIE CULLY

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, LESLIE CULLY, declare:

2 1. I am a resident of the State of Illinois. I am over the age of 18 and
3 make this declaration from personal knowledge and based on records from the
4 Illinois Department of Human Services. If called as a witness, I could and
5 would testify competently to all the matters set forth below.

6 2. I am the Associate Director of the Division of Family and
7 Community Services within the Illinois Department of Human Services. I
8 oversee the administration of the local offices across Illinois that administer
9 public assistance programs. I have held this position since April 2019.

10 3. The Division of Family and Community Services (the “Division”)
11 administers the following federal and state benefit programs for low income
12 households: Supplemental Nutrition Assistance Program (“SNAP”), Temporary
13 Assistance for Needy Families (“TANF”), and Medicaid programs.

14 4. As of August 1, 2020, the Division was administering benefits for a
15 total of 2,032,767 individuals receiving SNAP, 69,631 individuals receiving
16 TANF (including state-funded programs), and 2,954,142 individuals receiving
17 Medicaid.

18 5. The Division’s primary method of communication with these
19 individuals and households is through mail delivered by the United States
20 Postal Service (“USPS”).
21
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DECLARATION OF
LESLIE CULLY

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 6. On August 12 and 19, 2020, the Division mailed a combined total of
2 110,361 SNAP redetermination notices to recipients. As of August 31, 2020,
3 however, we have only received 1594 responses. This amount is significantly
4 lower than our normal response rate, which is typically 60% of applications
5 mailed.

6 7. Federal and state laws governing the programs administered by the
7 Division impose strict timelines on the processing and delivery of benefits,
8 notification to applicants and recipients, and appeals associated with public
9 benefits. For example, the Division must provide at least 10 days' advance
10 notice before reducing or terminating benefits. *See* 7 CFR § 273.13.

11 8. The Division also depends upon the USPS to ensure timely
12 communication with the more than 2 million individuals it serves.

13 9. Mail delays resulting from the proposed cuts to the postal service will
14 impede the Division's ability to timely communicate with households in need of
15 assistance.

16 10. No other viable form of communication exists to contact the
17 Division's benefit recipients. For example, electronic mail or use of a website is
18 not feasible because our constituents do not have regular or reliable access to
19 the Internet. In addition, private delivery or courier services are cost-
20 prohibitive. As a result, the Division relies heavily upon USPS services and
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DECLARATION OF
LESLIE CULLY

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 developed its method to distribute benefits in reliance on timely, efficient postal
2 services.

3 11. Mail delays resulting from the proposed cuts to the postal service will
4 slow the delivery of approximately \$353 million in monthly SNAP benefits and
5 \$11 million in monthly TANF and related state-funded program benefits,
6 potentially impacting the ability of low income households to meet their basic
7 needs.

8 **I declare under penalty of perjury under the laws of the State of**
9 **Washington and Illinois and the United States that the foregoing is true**
10 **and correct.**

11
12 DATED this 4th day of September, 2020, at Springfield, Illinois.

13
14 Leslie K. Cully
LESLIE CULLY

15 Associate Director
16 Illinois Department of Human Services
17
18
19
20
21
22

DECLARATION OF
LESLIE CULLY

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

Exhibit 10

1 ROBERT W. FERGUSON
Attorney General
2 NOAH GUZZO PURCELL, WSBA #43492
Solicitor General
3 NATHAN K. BAYS, WSBA #43025
KRISTIN BENESKI, WSBA #45478
4 ANDREW R.W. HUGHES, WSBA #49515
CRISTINA SEPE, WSBA #53609
5 *Assistant Attorneys General*
EMMA GRUNBERG, WSBA #54659
6 TERA M. HEINTZ, WSBA #54921
(application for admission forthcoming)
7 KARL D. SMITH, WSBA #41988
Deputy Solicitors General
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10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
18
19
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NO. 1:20-cv-03127-SAB

DECLARATION OF CHRIS
CZUBAKOWSKI IN SUPPORT
OF PLAINTIFF STATES'
MOTION FOR PRELIMINARY
INJUNCTION

DECLARATION OF CHRIS
CZUBAKOWSKI

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, **CHRIS CZUBAKOWSKI**, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. I am a mail processing clerk at the Postal Service's Milwaukee
5 processing facility and have worked in that position since 1996. In that role, I
6 operate and process mail on DBCS and DIOSS sorting machines. The Milwaukee
7 processing facility serves a large section of southern and central Wisconsin,
8 including the cities of Milwaukee and Madison.

9 3. I also serve as the Vice President and Legislative Director of the
10 Milwaukee Area Local branch of the American Postal Workers Union, positions
11 I have held since 2019. In those roles, I perform the duties of the President in
12 case of his absence and guide and direct all activities of the union relating to
13 legislation.

14 4. I am aware of recent changes to Postal Service operations involving
15 the decommissioning of sorting machines in the Milwaukee processing facility
16 in which I work.

17 5. Timely Postal Service mail processing in southern and central
18 Wisconsin depends on a set of sorting machines at the Milwaukee processing
19 facility called Delivery Bar Code Sorters ("DBCS"). These machines are used to
20 sort first-class mail based on the delivery destination, before sending first-class
21 mail to local post offices for final delivery to Postal Service customers. My
22

DECLARATION OF CHRIS
CZUBAKOWSKI

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 processing facility also operates DIOOS machines that serve essentially the same
2 function.

3 6. Each of these DBCS and DIOOS machines can process up to 30,000
4 to 35,000 pieces of mail per hour. These machines typically run for around 20
5 hours per day, with four hours of downtime for maintenance. I estimate that the
6 machines typically do not run at 100% efficiency, and so a more realistic estimate
7 of hourly processing is 25,000 pieces of mail per hour. That amounts to 500,000
8 pieces of mail per day, per machine.

9 7. The Milwaukee processing facility used to have 36 sorting
10 machines, but four have been removed over the past month or so. I am not aware
11 of any plans to reinstall those machines.

12 8. One DIOOS machine has also been disconnected at the Milwaukee
13 facility (but not removed from the premises, like the DBCS machines). This
14 machine also was disconnected around a month ago.

15 9. With four DBCS and one DIOOS machines removed from operation
16 over the past month, that has reduced the Milwaukee processing facility's
17 capacity by around 2,500,000 pieces of first-class mail per day.

18 10. Also, two other machines called AFCS machines have been
19 disconnected in the past month or so, out of nine total in the entire facility. These
20 machines also are used to process first-class mail, before it is sorted by the DBCS
21
22

DECLARATION OF CHRIS
CZUBAKOWSKI

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
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(206) 464-7744

1 machines. These disconnections could also potentially reduce the facility's daily
2 processing capacity.

3 11. Historically, two Postal Service employees staffed each DBCS and
4 DIOOS sorting machine at a time. But given current understaffing, only one
5 employee now staffs each sorting machine, which lowers the efficiency with
6 which each machine sorts and processes the mail. Once the machines approach
7 their sorting capacity, jams and other sorting problems increase that can be more
8 efficiently resolved with two employees than one.

9 12. With the reduction in sorting machines and supporting staff, periods
10 of high mail volume will strain my facility's processing capacity and potentially
11 lead to processing delays.

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22
DECLARATION OF CHRIS
CZUBAKOWSKI

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
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13. I understand that Wisconsin election officials expect a surge of absentee voting by mail during the November 2020 general election. If the machines that have been removed from operation described above are not replaced, I believe there is a risk that Wisconsin voters will experience delays in receiving and returning their absentee ballots by mail in the upcoming election.

I declare under penalty of perjury under the laws of the State of Wisconsin and the United States that the foregoing is true and correct.

DATED this 8th day of September, 2020, at Wauwatosa, Wisconsin.

Chris Czubakowski

Legislative Director, American Postal Workers
Union, Milwaukee Area Local

DECLARATION OF CHRIS CZUBAKOWSKI

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
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Exhibit 11

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3 NATHAN K. BAYS, WSBA #43025
KRISTIN BENESKI, WSBA #45478
4 ANDREW R.W. HUGHES, WSBA #49515
CRISTINA SEPE, WSBA #53609
5 *Assistant Attorneys General*
EMMA GRUNBERG, WSBA #54659
6 TERA M. HEINTZ, WSBA #54921
(application for admission forthcoming)
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10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
18
19
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21
22

NO. 1:20-cv-03127-SAB

DECLARATION OF DAVID W.
DART IN SUPPORT OF
PLAINTIFF STATES' MOTION
FOR PRELIMINARY
INJUNCTION

DECLARATION OF
DAVID W. DART

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, David W. Dart, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. I am a U.S. Navy veteran. I entered the service in December 1980
5 and separated from service in July 1985.

6 3. I am long-time resident of Washington State.

7 4. I have an underlying medical condition that puts me at increased risk
8 for severe illness from COVID-19. I am following my state's stay at home orders.
9 But because I am at increased risk, I have taken additional precautions and try to
10 avoid leaving my home.

11 5. I primarily buy the basic necessities I need online through retailers
12 like Wal-Mart and Amazon. These necessities include household cleaning items,
13 bulk items, pet food, and clothes. Over the last few months, I have experienced
14 package delays ranging from two weeks to a month from the expected delivery
15 date. At least twice, the original item arrived after the replacement item. Through
16 delivery tracking, I saw that another package was stuck at the same facility in
17 California for 10 days.

18 6. I also get my medication delivered to me through the United States
19 Postal Service. I use the Department of Veterans Affairs to get my medication.
20 My doctor has prescribed me with eleven medications and four supplements,
21 three of which treat my chronic condition.
22

DECLARATION OF
DAVID W. DART

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
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1 7. I refill my prescriptions online and am able to track their delivery
2 status.

3 8. Generally, through the VA refill process, I receive my refills three
4 or four days before I run out of that medication.

5 9. Starting sometime in July 2020, I began noticing and experiencing
6 delays in Postal Service deliveries for my medications. Because of these delays,
7 I have received prescription refills three or four days after I run out of that
8 medication.

9 10. I am very concerned about how these mail delays will affect me and
10 that future deliveries of critical medication will be delayed.

11 11. I am most worried about getting delayed refills of one of the
12 medications that I take to manage my chronic condition. I am anxious about the
13 consequences if the delivery of this refill does not get to me on time before I run
14 out. I must take this medication every day around the same time and cannot miss
15 a dose. Skipping even for just a few days of this medicine can be life-threatening.
16 Missing doses increases my risk for blood clots, which could result in stroke,
17 heart attack, or a pulmonary embolism (where a blood clot blocks blood flow to
18 my lungs).

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DECLARATION OF
DAVID W. DART

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
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(206) 464-7744

1 I declare under penalty of perjury under the laws of the State of
2 Washington and the United States that the foregoing is true and correct.

3
4 DATED this 18 day of August, 2020, at Seattle, Washington.

5 *David William Dart*
6 David W. Dart

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DECLARATION OF
DAVID W. DART

ATTORNEY GENERAL OF WASHINGTON
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Exhibit 12

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4 ANDREW R.W. HUGHES, WSBA #49515
CRISTINA SEPE, WSBA #53609
5 *(application for admission forthcoming)*
Assistant Attorneys General
6 EMMA GRUNBERG, WSBA #54659
TERA M. HEINTZ, WSBA #54921
7 *(application for admission forthcoming)*
KARL D. SMITH, WSBA #41988
8 *(application for admission forthcoming)*
Deputy Solicitors General
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11
12 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
13 **AT YAKIMA**

14 STATE OF WASHINGTON, et al.,
15
Plaintiffs,
16 v.
DONALD J. TRUMP, et al.,
17 Defendants.

NO. 1:20-cv-03127-SAB

DECLARATION OF NICOLE
DAVIDSON IN SUPPORT OF
PLAINTIFF STATES' MOTION FOR
PRELIMINARY INJUNCTION

18
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22
DECLARATION OF
NICOLE DAVIDSON

ATTORNEY GENERAL OF VIRGINIA
202 North Ninth Street
Richmond, Virginia 23219
804-692-0558 (telephone)
804-692-1647 (facsimile)
clewis@oag.state.va.us

1 I, Nicole Davidson, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters herein, and
3 make this declaration based on my personal knowledge.

4 2. I am the Secretary of the Board of Directors of Ring Dog Rescue, Inc. (Ring),
5 a women-run nonprofit based in Virginia that rescues, rehabilitates and places abused,
6 abandoned, and homeless dogs. Ring focuses its efforts on pit bulls given the overwhelming
7 need for their adoption in animal shelters across Virginia. Ring operates a foster program
8 with homes throughout Virginia, including a number that are dedicated to caring for senior
9 and terminally ill dogs. Ring acts as a liaison between shelters, animal control, and disaster
10 agencies state-wide, and assists in providing appropriate medical care. This includes ensuring
11 that dogs are spayed and neutered and up-to-date on vaccinations. Ring specifically works
12 with other rescue and transport organizations to rescue, foster, and re-home dogs from
13 municipal shelters.

14 3. I also serve on the Board of Directors of A.L. Shilling Spay & Neuter, Inc.
15 (Shilling), another women-run and Virginia-based nonprofit that strives to provide low-cost
16 or free spay and neuter services to companion animals in the greater Richmond, Virginia
17 area. Shilling focuses its resources on animals in underserved areas, municipal shelters, and
18 other animal rescue organizations. Shilling's goal is to reduce the number of homeless
19 companion animals in Virginia, and to improve the health and quality of life of owned
20 companion animals and those awaiting adoption.

21 4. Recent changes in delivery of mail by the United States Postal Service have
22 materially impaired the ability of both Ring and Shilling to offer their services to Virginians

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1 across the Commonwealth. These impacts have been particularly acute as pet adoption has
2 markedly increased during the ongoing COVID-19 pandemic.

3 5. Ring relies on the mail to deliver necessary paperwork and contracts to those
4 who are interested in adopting a dog, along with medications for adopted dogs. In recent
5 months, Ring has begun to rely even more heavily on the mail to minimize in-person
6 interactions and decrease the likelihood of exposure to COVID-19.

7 6. However, on two separate occasions in the last three months, adoption
8 packs—which include both the relevant contractual paperwork and medications—have been
9 lost in transit by the United States Postal Service. One adoption pack was eventually located
10 at a North Carolina facility, even though that pack was sent from Henrico County to
11 Chesterfield County, both of which are located in Central Virginia. The Postal Service never
12 provided an explanation as to why that adoption pack was routed to North Carolina, nor has
13 that pack ever been delivered. The other adoption pack was never located. Ring incurred
14 additional expenses as the lost packages forced the organization to replace the lost
15 medication and reproduce the lost paperwork.

16 7. Ring also relies on the mail to ensure compliance with various State laws that
17 require nonprofits to register in order to solicit donations. Ring spends thousands of dollars
18 each year to file the necessary paperwork and remain eligible to fundraise in these States.
19 The registration process requires regular consultation with outside counsel, including sending
20 notarized documents through the Postal Service. On multiple occasions in recent months,
21 however, notarized documents sent via Priority Mail were delayed in transit to Ring's
22

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1 counsel. In some cases, those delays have jeopardized Ring's registrations, which would
2 render the nonprofit ineligible to solicit donations in each of the affected States.

3 8. Finally, Ring relies on the United States Postal Service to deliver merchandise
4 sold by the organization to raise funds for its operations. In the last three months, over a
5 dozen orders have been delayed between five and ten days. Despite repeated inquiries, the
6 Postal Service has been unable to track those missing packages for Ring, leaving the
7 nonprofit unable to provide accurate estimates to customers as to when their purchases would
8 arrive. The organization's inability to rely on the Postal Service to deliver merchandise
9 undermines its efforts to fundraise for its adoption services.

10 9. Shilling also relies on the mail to provide spaying and neutering services to
11 pet owners across Virginia. But, as with Ring, Shilling has experienced delays in the delivery
12 of critical mail sent through the United States Postal Service.

13 10. Just this month, a set of documents necessary for an insurance audit and sent
14 through the United States Postal Service were delayed by over a month. As a result of that
15 delay, Shilling nearly lost its insurance coverage.

16 11. Shilling also recently received word from a laboratory with which the
17 nonprofit contracts that Shilling had not paid various medical bills. The laboratory, which
18 among other things provides heartworm tests for Shilling, threatened to discontinue service
19 in the event that Shilling did not pay those bills. Upon investigation, Shilling learned that the
20 medical bills had been sent through the United States Postal Service but were never
21 delivered.
22

DECLARATION OF
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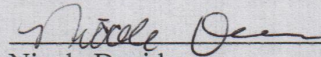
1 12. Shilling separately experienced a week-and-a-half period in recent months
2 during which the nonprofit received absolutely no mail, which was highly unusual. Although
3 mail delivery resumed after Shilling filed a complaint with the local Post Office, no mail
4 from that period was ever delivered.
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DECLARATION OF
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1 I declare under penalty of perjury under the laws of the United States that the
2 foregoing is true and correct.

3 DATED this 3 day of September, 2020, at Richmond, Virginia.

4
5 

6 Nicole Davidson
7 Secretary, Ring Dog Rescue, Inc.
8 Director, A.L. Shilling Spay & Neuter, Inc.
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Exhibit 13

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10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
18
19
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21
22

NO. 1:20-cv-03127-SAB

DECLARATION OF STEVE H.
FISHER IN SUPPORT OF
PLAINTIFF STATES' MOTION
FOR PRELIMINARY
INJUNCTION

DECLARATION OF STEVE H
FISHER

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, Steve Fisher, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. I am the Administrator for the Division of Welfare and Supportive
5 Services at the Nevada Department of Health and Human Services ("DWSS"),
6 the Nevada state agency responsible for administering and distributing various
7 public assistance benefits to qualified recipients.

8 3. I have served this agency for 22 years holding many different roles
9 along the way. Currently, I serve as Administrator of the Division of Welfare
10 and Supportive Services and have served in this role for 6 years.

11 4. DWSS relies upon the United States Postal Service to administer its
12 benefit programs.

13 5. Specifically, federal regulations require DWSS to use the United
14 States Postal Service for mailed applications, redetermination notices and
15 applications, notices of action, requests for information, and timely hearing
16 processes.

17 6. While benefit recipients have the option to request electronic
18 notifications, DWSS is required to offer and use the United States Postal Service.

19 7. To date, only approximately 1% of DWSS recipient households
20 have opted for electronic notification in lieu of the United States mail.

21

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DECLARATION OF STEVE H
FISHER

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 8. Delays in mail service may result in missed deadlines and lost
2 benefits, harming Nevada's ability to administer these public assistance programs
3 and harming recipients.

4 9. DWSS's method of payment to recipients is a prepaid debit card.

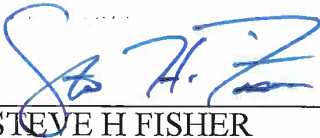
5 10. The prepaid debit cards are transmitted to recipients by United
6 States Mail.

7 11. Given Nevada's historic economic harm during the COVID-19
8 emergency, DWSS is serving many first-time benefit recipients, which requires
9 mailing them the prepaid debit cards.

10 12. Delays in mail service delay benefit payments to these first-time
11 recipients, harming Nevada's ability to administer the benefit programs and
12 harming recipients.

13 13. I declare under penalty of perjury under the laws of the State of
14 Nevada and the United States that the foregoing is true and correct.

15 DATED this 19th day of August, 2020, at Carson City, Nevada.

16
17 

18 STEVE H FISHER
19 Administrator, Nevada Department of Health
20 and Human Services
21 Division of Welfare and Supportive Services
22

DECLARATION OF STEVE H
FISHER

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
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Exhibit 14

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10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
18
19
20
21
22

NO. 1:20-cv-03127-SAB

DECLARATION OF NATHAN
GEISSEL IN SUPPORT OF
PLAINTIFF STATES' MOTION
FOR PRELIMINARY
INJUNCTION

DECLARATION OF
NATHAN GEISSEL
NO. 1:20-CV-03127-SAB

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, Nathan Geissel, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. I am a resident of Grants Pass, Oregon.

5 3. I am an Emergency Medical Technician. Before this, I worked as a
6 patient access specialist

7 4. Two years ago, my doctor prescribed me Eliquis—a medication to
8 treat and prevent blood clots and to prevent stroke.

9 5. I have received this medication by mail for the last year and a half.
10 I get my medication delivered by mail because my insurance covers more of the
11 cost of the medication when it is delivered by mail. Otherwise, I have to pay a
12 \$135 copay for a month's supply of medicine if I pick it up at a retail pharmacy.
13 Getting my prescription by mail is also more convenient.

14 6. I ordered a refill for this medication on August 10, 2020, but I did
15 not receive it until August 21, 2020. It took 11 days for the medication to get
16 from Portland, Oregon to Grants Pass, Oregon.

17 7. Before this delayed delivery for my medicine ordered on August 10,
18 2020, I had never experienced a delay in receiving my medicine. Generally, I
19 receive my prescription refills by mail two days, at most three days, after ordering
20 it.

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DECLARATION OF
NATHAN GEISSEL
NO. 1:20-CV-03127-SAB

2

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
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1 8. After ordering the refill on August 10, I tracked the package to make
2 sure it would get to me before I ran out my medication on August 18.

3 9. I saw that the package was stuck in Portland, Oregon until August
4 16, and then it remained in Eugene, Oregon for another few days.

5 10. When I realized that this refill package might not get to me before I
6 would run out on August 18, 2020, I began to panic and called my doctor and
7 insurer to figure out what I should do. I spent over three hours on the phone with
8 various folks, and it seemed like everyone passed the buck.

9 11. Eventually, a local pharmacist approved two more weeks of the
10 medication that I picked up in person. I initially paid out of pocket for this
11 emergency refill but my insurance has since covered it.

12 12. I finally received my refill on August 21, 2020. If I had not taken all
13 of these efforts to get an emergency supply, I would have gone three days without
14 this critical medication.


15 13. The potential consequences of missing doses of this medicine are
16 serious. This medication is vital to my health because of my blood clotting
17 disorder. If I do not take this blood thinner twice a day in regular intervals, I run
18 an extremely high risk of having another serious blood clot.

19 14. I consider myself lucky because I work in the healthcare field and
20 know how the system works and how to advocate for myself within it. I worry
21 about how the mail delays will affect seniors and veterans who do not know the
22

1 system and would not be able to get a local supply. I worry that many of them
2 would simply go without their medication, leading to dire consequences.

3 I declare under penalty of perjury under the laws of the United States that
4 the foregoing is true and correct.

5
6 DATED this 31st day of August, 2020, at Grants Pass, Oregon.

7
8 
Nathan Geissel

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DECLARATION OF
NATHAN GEISSEL
NO. 1:20-CV-03127-SAB

4

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
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Exhibit 15

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10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
18
19
20
21
22

NO. 1:20-cv-03127-SAB

DECLARATION OF RUTH Y.
GOLDWAY IN SUPPORT OF
PLAINTIFF STATES' MOTION
FOR PRELIMINARY
INJUNCTION

DECLARATION OF RUTH Y.
GOLDWAY

1

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, Ruth Y. Goldway, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. I was a commissioner of the U.S. Postal Regulatory Commission
5 (PRC) from 1998 to 2015 and its chair from 2009 to 2014. From 2016 to 2018, I
6 worked as an independent consultant to several research firms offering expertise
7 on the Postal Service's operations to investors wanting to invest in publicly traded
8 companies involved in the postal sector.

9 3. The PRC is an independent agency with oversight and regulatory
10 authority over the United States Postal Service. Among other things, the PRC
11 works with the USPS to develop and maintain postal rate regulations and service
12 standards and to adjudicate complaints against the USPS.

13 4. I am aware that in late July USPS General Counsel Thomas
14 Marshall sent letters to state election officials indicating that state election mail,
15 including ballots, would no longer be treated as First Class Mail unless states paid
16 the higher First Class Mail rates.

17 5. Mr. Marshall's letter represents a very concerning change in USPS
18 policy.

19 6. Typically, states have sent election mail at the Non-Profit Marketing
20 Mail rate, which is considerably less expensive than First Class Mail. Currently,
21
22

DECLARATION OF RUTH Y.
GOLDWAY

2

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 First Class postage is 55 cents per item, while Marketing Mail postage is only 20
2 cents per item.

3 7. Even though states typically pay Marketing rate, the Postal Service
4 has a longstanding practice of providing extra care and attention to election-
5 related mail, on the level of First Class mail.

6 8. USPS created a special logo and bar code identifiers several years
7 ago so that mail sorters are able to pull election mail out from the routine mail
8 stream to be sure it is delivered as soon as possible.

9 9. As a result, election mail has historically been subject to the delivery
10 standards for First Class Mail, usually 2–5 days, rather than the slower standard
11 for Marketing Mail, usually 3–10 days.

12 10. The practical effect of treating election mail as Marketing Mail
13 versus First Class Mail is actually much greater than the differing delivery
14 standards would suggest. This is because First Class is delivered on time at higher
15 rates than Marketing Mail.

16 11. According to the PRC's most recent Quarterly Service Performance
17 Reports, published August 10, 2020, between April 1 and June 30, 2020, the
18 USPS delivered between 81 percent and 95 percent of domestic First Class Mail
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1 on time.¹ Upwards of 98 percent of First Class Mail was delivered no more than
2 three days late. Thus, nearly 100 percent of First Class Mail was delivered within
3 eight days of mailing.

4 12. By contrast, USPS delivered between 70.4 and 92.2 percent of
5 Marketing Mail on time and 88.8 to 98.1 percent no more than three days late,
6 depending on whether senders delivered mail to a USPS facility themselves. Put
7 another way, where USPS was responsible for both pick-up and delivery, as much
8 as 10 percent of Marketing Mail took longer than 13 days to deliver.

9 13. The differing on-time performance between First Class and
10 Marketing Mail compounds the differences in stated delivery standards, and
11 makes it more likely that treating election mail as Marketing Mail will result in
12 voters not getting their ballots in time to vote.

13 14. True and correct copies of the PRC's most recent Quarterly Service
14 Performance Reports are attached hereto as Exhibit A.

15 15. Offering citizens the option of voting by mail provides significant
16 advantages, including the potential to increase voter turnout for national, state,
17 and local elections. Mail-in voting means voters do not need to take time off from
18

19 _____
20 ¹ The variance between 81% and 95% depends chiefly on two factors: (1)
21 whether the mail was presorted, which speeds delivery; and (2) how far the mail
22 has to travel.

DECLARATION OF RUTH Y.
GOLDWAY

4

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 work, find transportation, locate the right polling station, get babysitters, or rush
2 through critical, yet sometimes complicated ballot initiatives.

3 16. Mail-in voting makes it much easier for disabled people, people with
4 limited English proficiency, and others who might need additional time or
5 assistance to vote.

6 17. Mail-in voting is secure, tamper-resistant, and, in contrast to
7 electronic voting machines, leaves a paper trail to ensure an accurate count.

8 18. As we are facing the global COVID-19 pandemic, mail-in voting
9 has never been more important to facilitate the right of individuals to safely and
10 securely participate in our democracy.

11 19. As I wrote recently in the New York Times, the USPS is fully
12 capable of handling what is expected to be a record number of mail-in ballots for
13 the November election. *See* Ruth Y. Goldway, *I Was a Postal Service Regulator*
14 *for 18 Years. Don't Panic., N.Y. Times* (Aug. 18, 2020),
15 <https://www.nytimes.com/2020/08/18/opinion/usps-vote-by-mail.html>. But to
16 ensure that citizens' votes are actually counted, the USPS needs to ensure that
17 mailed ballots continue to be treated as First Class Mail and delivered in a timely
18 manner.

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22
DECLARATION OF RUTH Y.
GOLDWAY

5

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Seattle, WA 98104-3188
(206) 464-7744

1 I declare under penalty of perjury under the laws of the State of
2 Washington and the United States that the foregoing is true and correct.

3 DATED this 28th day of August, 2020, at Venice, California.

4 Ruth Y. Goldway

5 Ruth Y. Goldway
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DECLARATION OF RUTH Y.
GOLDWAY

6

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

Goldway Declaration
Exhibit A

United States Postal Service®
Quarterly Performance for USPS Marketing Mail®

Quarter III
 FY2020

Overview

Beginning FY2019 Q1, service performance for USPS Marketing Mail® Letters and non-Saturation flats is measured through the USPS® internal measurement system. The system uses documented arrival time at a designated postal facility to start the clock, and an Intelligent Mail® barcode (IMB®) scan by postal personnel at delivery for randomly selected delivery points to stop the clock. Mail piece tracking from IMB® in-process scans is used in conjunction with the sampling data to extrapolate results for the entire volume of measurement eligible Full Service Intelligent Mail. The transit time from the start-the-clock through final automated processing is the Processing Duration leg, and the transit time from final automated processing until delivery is the Last Mile. Total transit time was calculated for the mail and compared with the appropriate service standard for the product to determine the service performance.

Scores prior to FY2019 Q1 were calculated and compiled by an independent external contractor. The system used for this reporting was called the Intelligent Mail® Accuracy and Performance System (iMAPS). The external contractor determined service performance based on the elapsed time between the start-the-clock event recorded by U.S. Postal Service® and the stop-the-clock event recorded by anonymous households and small businesses that report delivery information directly to the contractor. The service measure consisted of two parts: (1) how long mail pieces take to get through processing, and (2) how long mail takes from the last processing scan to delivery. The second portion was used as a delivery factor differential to determine the percent of all USPS Marketing Mail® delivered on the last processing date versus the percent delivered after the last processing date. Service performance was measured by comparing the transit time to USPS® service standards to determine the percent of mail delivered on time.

The service performance measure for Destination Delivery Unit (DDU) Entry Saturation flats involves the identification of major weekly Saturation mailings within delivery units. Delivery of these mailings is captured with a scan made by carriers at the completion of delivery of all pieces on the route. Service performance is measured by comparing the delivery date to the end date of the mailer requested in-home window to determine the percent delivered on time.

The service performance measurement system for Every Door Direct Mail – Retail® (EDDM Retail®) uses the documented arrival time of a mailing at a retail unit to start the clock, using the point-of-sale scan when mail is handed to U.S. Postal Service®, and an Intelligent Mail® parcel barcode (IMpb®) scan by a USPS® carrier to stop the clock. The delivery of bundles of EDDM Retail® pieces is captured with a scan made by carriers at the delivery unit upon distribution for delivery. Service performance is measured by comparing the total transit time of mail piece bundles to the service standard to determine the percent delivered on time.

Results for DDU Entry Saturation flats and EDDM Retail® are combined with other Destination Entry Standard Mail in the Destination Entry scores in this report.

The service performance measure for USPS Marketing Mail® Parcels with USPS Tracking® serves as a proxy for measuring service performance for USPS Marketing Mail® Parcels.

Limitations

Due to limited automated processing for USPS Marketing Mail® Flats, the service performance results may not be representative of all USPS Marketing Mail® Flats performance. While Destination Delivery Unit (DDU) entered Saturation Flats and EDDM Retail® Flats have been included this quarter, significant gaps in the coverage of non-Saturation/non-EDDM Retail® DDU Entry mail still remain and are excluded from measurement. Results for USPS Marketing Mail® Parcels, which represent less than 0.1 percent of all USPS Marketing Mail®, are not included in the overall USPS Marketing Mail® results.

Performance Highlights

National Destination Entry mail achieved 92.2 percent on time in FY2020 Quarter 3, which is 1.9 points lower than the same period last year. For Destination Entry mail, 98.1 percent was delivered within service standard plus three days. The Alaska Performance Cluster led the nation in Destination Entry performance with 97.8 percent on time. Forty-nine out of 67 districts achieved an on-time performance at or above the performance target of 91.8 for Destination Entry mail.

End-To-End Entry national performance was 70.4 percent on time, which is 2.9 points higher than the same period last year. In FY2020 Quarter 3, 88.8 percent of End-To-End Entry USPS Marketing Mail® was delivered within the service standard plus three days. The Alaska District had the highest End-To-End Entry score with 92.2 percent on time.

United States Postal Service®

Quarter III
FY2020**Quarterly Performance for USPS Marketing Mail®**
Mailpieces Delivered Between 04/01/2020 and 06/30/2020

District	Destination Entry	End-To-End
	Percent On Time	Percent On Time
Capital Metro Area	92.3	67.8
Atlanta	89.7	50.5
Baltimore	83.9	63.5
Capital	94.9	76.0
Greater South Carolina	95.1	78.7
Greensboro	94.1	78.3
Mid-Carolinas	93.8	77.1
Northern Virginia	96.3	66.6
Richmond	91.4	63.8
Eastern Area	94.5	73.5
Appalachian	97.1	75.4
Central Pennsylvania	93.5	61.4
Kentuckiana	96.6	79.4
Northern Ohio	92.9	76.0
Ohio Valley	94.4	79.2
Philadelphia Metro	92.8	62.2
South Jersey	93.7	63.0
Tennessee	92.9	67.8
Western New York	95.7	78.2
Western Pennsylvania	97.7	85.8
Great Lakes Area	86.2	63.8
Central Illinois	90.4	64.3
Chicago	86.7	53.1
Detroit	63.3	52.5
Gateway	94.7	73.0
Greater Indiana	91.6	66.2
Greater Michigan	91.8	61.2
Lakeland	91.6	63.2
Northeast Area	84.5	58.0
Albany	96.0	70.4
Caribbean	76.1	67.6
Connecticut Valley	88.1	62.8
Greater Boston	85.1	58.8
Long Island	77.7	46.8
New York	59.5	52.1
Northern New England	92.7	67.1
Northern New Jersey	84.6	50.8
Triboro	83.3	56.7
Westchester	79.3	54.1
Pacific Area	95.1	72.0
Bay-Valley	95.2	73.6
Honolulu	96.8	72.4
Los Angeles	92.4	66.4
Sacramento	93.8	68.9
San Diego	95.3	74.1
San Francisco	94.8	79.3
Santa Ana	96.5	72.4
Sierra Coastal	96.4	74.4

United States Postal Service®
Quarterly Performance for USPS Marketing Mail®
Mailpieces Delivered Between 04/01/2020 and 06/30/2020

Quarter III
FY2020

District	Destination Entry	End-To-End
	Percent On Time	Percent On Time
Southern Area	94.0	74.6
Alabama	93.2	63.7
Arkansas	95.5	64.9
Dallas	94.5	74.2
Fort Worth	92.9	75.7
Gulf Atlantic	95.1	74.0
Houston	94.0	83.8
Louisiana	89.8	67.7
Mississippi	92.2	66.9
Oklahoma	96.2	76.6
Rio Grande	95.7	77.6
South Florida	92.8	75.1
Suncoast	94.9	72.3
Western Area	96.1	74.8
Alaska	97.8	92.2
Arizona	96.7	66.0
Central Plains	97.4	77.7
Colorado/Wyoming	90.5	69.4
Dakotas	97.4	75.3
Hawkeye	97.7	81.3
Mid-America	95.3	68.8
Nevada-Sierra	97.4	77.9
Northland	96.5	74.6
Portland	97.7	77.0
Salt Lake City	96.3	75.4
Seattle	96.8	80.9
Nation FY2020 Q3	92.2	70.4

Nation FY2019 Q3 (SPLY)	94.1	67.5
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Nation FY2009 Annual	86.4	70.7
Nation FY2010 Annual	83.4	59.0
Nation FY2011 Annual	70.3	38.4
Nation FY2012 Annual	82.0	56.5
Nation FY2013 Annual	88.8	63.3
Nation FY2014 Annual	89.9	63.5
Nation FY2015 Annual	89.1	59.6
Nation FY2016 Annual	92.3	65.9
Nation FY2017 Annual	93.7	69.8
Nation FY2018 Annual	91.6	66.4
Nation FY2019 Annual	91.9	66.2
Nation FY2020 Q1	92.0	67.2
Nation FY2020 Q2	93.9	73.9

FY2020 Annual Target	91.8	91.8
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United States Postal Service®
Quarterly Performance for USPS Marketing Mail®
Service Variance

Quarter III
FY2020

Overview

Beginning FY2019 Q1, service performance for USPS Marketing Mail® Letters and non-Saturation flats is measured through the USPS® internal measurement system. The system uses documented arrival time at a designated postal facility to start the clock, and an Intelligent Mail® barcode (IMB®) scan by postal personnel at delivery for randomly selected delivery points to stop the clock. Mail piece tracking from IMB® in-process scans is used in conjunction with the sampling data to extrapolate results for the entire volume of measurement eligible Full Service Intelligent Mail. The transit time from the start-the-clock through final automated processing is the Processing Duration leg, and the transit time from final automated processing until delivery is the Last Mile. Total transit time was calculated for the mail and compared with the appropriate service standard for the product to determine the service performance.

Scores prior to FY2019 Q1 were calculated and compiled by an independent external contractor. The system used for this reporting was called the Intelligent Mail® Accuracy and Performance System (iMAPS). The external contractor determined service performance based on the elapsed time between the start-the-clock event recorded by U.S. Postal Service® and the stop-the-clock event recorded by anonymous households and small businesses that report delivery information directly to the contractor. The service measure consisted of two parts: (1) how long mail pieces take to get through processing, and (2) how long mail takes from the last processing scan to delivery. The second portion was used as a delivery factor differential to determine the percent of all USPS Marketing Mail® delivered on the last processing date versus the percent delivered after the last processing date. Service performance was measured by comparing the transit time to USPS® service standards to determine the percent of mail delivered on time.

The service performance measure for Destination Delivery Unit (DDU) Entry Saturation flats involves the identification of major weekly Saturation mailings within delivery units. Delivery of these mailings is captured with a scan made by carriers at the completion of delivery of all pieces on the route. Service performance is measured by comparing the delivery date to the end date of the mailer requested in-home window to determine the percent delivered on time.

The service performance measurement system for Every Door Direct Mail – Retail® (EDDM Retail®) uses the documented arrival time of a mailing at a retail unit to start the clock, using the point-of-sale scan when mail is handed to U.S. Postal Service®, and an Intelligent Mail® parcel barcode (IMpb®) scan by a USPS® carrier to stop the clock. The delivery of bundles of EDDM Retail® pieces is captured with a scan made by carriers at the delivery unit upon distribution for delivery. Service performance is measured by comparing the total transit time of mail piece bundles to the service standard to determine the percent delivered on time.

Results for DDU Entry Saturation flats and EDDM Retail® are combined with other Destination Entry Standard Mail in the Destination Entry scores in this report.

The service performance measure for USPS Marketing Mail® Parcels with USPS Tracking® serves as a proxy for measuring service performance for USPS Marketing Mail® Parcels.

Limitations

Due to limited automated processing for USPS Marketing Mail® Flats, the service performance results may not be representative of all USPS Marketing Mail® Flats performance. While Destination Delivery Unit (DDU) entered Saturation Flats and EDDM Retail® Flats have been included this quarter, significant gaps in the coverage of non-Saturation/non-EDDM Retail® DDU Entry mail still remain and are excluded from measurement. Results for USPS Marketing Mail® Parcels, which represent less than 0.1 percent of all USPS Marketing Mail®, are not included in the overall USPS Marketing Mail® results.

Performance Highlights

National Destination Entry mail achieved 92.2 percent on time in FY2020 Quarter 3, which is 1.9 points lower than the same period last year. For Destination Entry mail, 98.1 percent was delivered within service standard plus three days. The Alaska Performance Cluster led the nation in Destination Entry performance with 97.8 percent on time. Forty-nine out of 67 districts achieved an on-time performance at or above the performance target of 91.8 for Destination Entry mail.

End-To-End Entry national performance was 70.4 percent on time, which is 2.9 points higher than the same period last year. In FY2020 Quarter 3, 88.8 percent of End-To-End Entry USPS Marketing Mail® was delivered within the service standard plus three days. The Alaska District had the highest End-To-End Entry score with 92.2 percent on time.

United States Postal Service®
Quarterly Performance for USPS Marketing Mail®
Service Variance
Mailpieces Delivered Between 04/01/2020 and 06/30/2020

Quarter III
FY2020

District	Destination Entry			End-To-End		
	Percent Within +1-Day	Percent Within +2-Days	Percent Within +3-Days	Percent Within +1-Day	Percent Within +2-Days	Percent Within +3-Days
Capital Metro Area	96.9	98.4	99.1	77.4	83.9	88.4
Atlanta	95.8	97.9	98.9	64.3	74.6	82.1
Baltimore	93.6	96.6	97.8	73.6	81.4	86.5
Capital	97.7	98.8	99.3	83.1	87.7	90.6
Greater South Carolina	98.3	99.3	99.6	86.0	90.6	93.5
Greensboro	98.0	99.1	99.4	85.9	90.3	93.2
Mid-Carolinas	97.5	98.7	99.3	84.5	89.4	92.4
Northern Virginia	98.2	98.8	99.4	75.8	82.3	86.8
Richmond	96.5	98.4	99.0	74.7	81.6	86.1
Eastern Area	97.5	98.6	99.1	81.7	86.7	90.1
Appalachian	98.7	99.3	99.5	83.4	88.4	91.6
Central Pennsylvania	97.1	98.5	99.2	71.2	78.3	83.4
Kentuckiana	98.7	99.2	99.5	86.2	90.4	93.2
Northern Ohio	95.6	96.7	97.4	84.0	88.0	90.6
Ohio Valley	97.7	98.9	99.3	87.4	91.4	94.0
Philadelphia Metro	96.3	98.0	98.8	73.0	80.4	85.2
South Jersey	96.7	98.1	98.7	72.2	79.0	83.7
Tennessee	96.9	98.3	98.9	77.3	83.3	87.8
Western New York	98.3	99.2	99.5	86.0	90.2	92.9
Western Pennsylvania	99.1	99.5	99.7	90.7	93.4	95.1
Great Lakes Area	90.6	92.6	94.0	72.5	78.6	82.9
Central Illinois	94.5	96.4	97.5	73.2	79.8	84.4
Chicago	92.7	95.5	96.9	63.1	71.3	77.4
Detroit	69.1	73.0	76.5	60.1	65.3	69.8
Gateway	97.9	98.9	99.3	82.2	87.9	91.3
Greater Indiana	95.7	97.4	98.4	74.5	80.0	83.4
Greater Michigan	94.6	95.8	96.5	66.9	71.8	76.2
Lakeland	96.1	97.8	98.7	73.3	80.2	85.1
Northeast Area	90.7	93.3	94.9	67.5	74.4	79.4
Albany	98.5	99.2	99.5	79.9	85.6	89.2
Caribbean	87.4	92.2	95.6	77.9	82.7	86.8
Connecticut Valley	92.9	95.0	96.4	72.6	79.3	83.9
Greater Boston	92.9	95.7	96.9	69.1	76.6	81.8
Long Island	87.0	91.8	94.2	56.7	64.2	70.0
New York	67.2	74.6	80.0	60.8	67.6	72.9
Northern New England	96.5	97.7	98.4	74.9	81.1	85.6
Northern New Jersey	89.2	90.8	91.7	60.2	67.8	73.1
Triboro	89.5	92.4	94.0	64.9	71.1	75.7
Westchester	88.2	91.2	94.2	63.9	71.4	76.7
Pacific Area	98.0	99.0	99.4	81.8	87.7	91.4
Bay-Valley	98.0	99.0	99.4	83.1	88.9	92.7
Honolulu	98.3	99.1	99.3	81.6	88.4	92.2
Los Angeles	97.0	98.6	99.1	78.5	85.3	89.6
Sacramento	97.2	98.5	99.2	80.6	87.5	92.1
San Diego	98.0	99.0	99.3	82.5	87.3	90.5
San Francisco	97.9	98.9	99.4	87.2	91.7	94.4
Santa Ana	98.6	99.4	99.7	81.2	86.4	89.9
Sierra Coastal	98.5	99.3	99.6	83.0	88.5	92.1

United States Postal Service®
Quarterly Performance for USPS Marketing Mail®
Service Variance
Mailpieces Delivered Between 04/01/2020 and 06/30/2020

Quarter III
FY2020

District	Destination Entry			End-To-End		
	Percent Within +1-Day	Percent Within +2-Days	Percent Within +3-Days	Percent Within +1-Day	Percent Within +2-Days	Percent Within +3-Days
Southern Area	97.6	98.8	99.3	83.1	88.2	91.6
Alabama	97.0	98.5	99.1	74.3	81.1	86.4
Arkansas	97.9	98.9	99.3	73.7	80.8	85.7
Dallas	97.4	98.6	99.1	83.5	88.4	91.7
Fort Worth	97.0	98.2	98.7	83.3	88.0	91.2
Gulf Atlantic	97.8	98.9	99.4	81.9	87.4	91.0
Houston	97.7	98.9	99.3	89.9	93.2	95.2
Louisiana	95.8	97.9	98.8	76.1	82.3	87.0
Mississippi	96.5	98.1	98.8	75.9	82.9	87.3
Oklahoma	98.6	99.3	99.5	85.7	90.4	93.1
Rio Grande	98.3	99.2	99.4	86.9	91.4	93.9
South Florida	97.1	98.8	99.3	83.3	88.5	92.0
Suncoast	98.3	99.3	99.6	81.4	87.3	91.0
Western Area	98.6	99.3	99.6	84.4	89.5	92.6
Alaska	98.7	99.2	99.4	94.6	96.6	97.4
Arizona	98.8	99.3	99.5	77.1	84.4	89.4
Central Plains	99.0	99.4	99.6	87.1	91.5	94.0
Colorado/Wyoming	97.2	98.8	99.3	82.1	88.0	91.4
Dakotas	98.9	99.4	99.6	83.8	88.8	92.1
Hawkeye	99.0	99.4	99.6	88.5	92.2	94.4
Mid-America	98.5	99.3	99.5	80.9	87.4	91.0
Nevada-Sierra	98.7	99.3	99.5	87.1	91.1	93.7
Northland	98.9	99.4	99.6	83.7	89.0	92.3
Portland	99.1	99.5	99.7	85.8	90.5	93.4
Salt Lake City	98.8	99.3	99.6	84.3	89.2	92.2
Seattle	99.0	99.5	99.7	89.6	93.0	95.2
Nation FY2020 Q3	96.0	97.4	98.1	79.4	85.1	88.8
Nation FY2019 Q3 (SPLY)	97.9	98.9	99.4	80.3	87.8	92.2
Nation FY2009 Annual	93.4	96.4	98.0	78.1	85.1	90.0
Nation FY2010 Annual	92.3	96.0	97.8	68.8	75.8	80.7
Nation FY2011 Annual	86.5	93.2	96.2	53.9	67.1	77.1
Nation FY2012 Annual	92.2	96.0	97.7	70.0	79.7	86.3
Nation FY2013 Annual	96.3	98.4	99.2	77.2	86.3	91.7
Nation FY2014 Annual	96.7	98.6	99.3	77.8	86.6	91.9
Nation FY2015 Annual	96.3	98.4	99.1	74.7	84.0	90.0
Nation FY2016 Annual	97.4	98.8	99.3	79.3	87.0	91.6
Nation FY2017 Annual	97.9	99.0	99.4	82.0	88.9	92.9
Nation FY2018 Annual	97.3	98.8	99.3	79.8	87.5	92.1
Nation FY2019 Annual	97.1	98.6	99.1	79.3	87.1	91.7
Nation FY2020 Q1	97.1	98.5	99.1	80.1	87.6	92.1
Nation FY2020 Q2	97.8	98.9	99.4	84.6	90.3	93.7

United States Postal Service®
Quarterly Performance for Presort First-Class Mail®

Quarter III
 FY2020

Overview

Beginning FY2019 Q1, service performance for Presort First-Class Mail® is measured through the USPS® internal measurement system. The system uses documented arrival time at a designated postal facility to start the clock, and an Intelligent Mail® barcode (IMB®) scan by postal personnel at delivery for randomly selected delivery points to stop the clock. Mail piece tracking from IMB® in-process scans is used in conjunction with the sampling data to extrapolate results for the entire volume of measurement eligible Full Service Intelligent Mail. The transit time from the start-the-clock through final automated processing is the Processing Duration leg, and the transit time from final automated processing until delivery is the Last Mile. Total transit time was calculated for the mail and compared with the appropriate service standard for the product to determine the service performance.

Scores prior to FY2019 Q1 were calculated and compiled by an independent external contractor. The system used for this reporting was called the Intelligent Mail® Accuracy and Performance System (iMAPS). The external contractor determined service performance based on the elapsed time between the start-the-clock event recorded by U.S. Postal Service® and the stop-the-clock event recorded by anonymous households and small businesses that report delivery information directly to the contractor. The service measure consisted of two parts: (1) how long mail pieces take to get through processing, and (2) how long mail takes from the last processing scan to delivery. The second portion was used as a delivery factor differential to determine the percent of all Presort First-Class Mail® delivered on the last processing date versus the percent delivered after the last processing date. Service performance was measured by comparing the transit time to USPS® service standards to determine the percent of mail delivered on time.

Performance Highlights

National Presort First-Class Mail® Overnight performance in FY2020 Quarter 3 was 95.7 percent on time, which is 0.6 points lower than the same period last year. National Two-Day performance was 93.2 percent on time, which is 2.1 points lower than the same period last year. National Three-To-Five-Day performance was 90.7 percent on time, which is 2.9 points lower when compared to the same period last year.

Southern Area led the nation in Overnight service performance, with 96.8 percent on time. Western Area led the nation in Two-Day service performance, with 96.0 percent on time in FY2020 Quarter 3. Eastern Area led the nation in Three-To-Five-Day service performance, with 91.9 percent on time.

In FY2020 Quarter 3, 29 districts met or exceeded the Overnight performance target of 96.80, eight districts met or exceeded the Two-Day service performance target of 96.50, and none of the districts met or exceeded the Three-To-Five-Day service performance target of 95.25. Alaska led the nation in Overnight service performance with 98.8 percent on time. Caribbean led in Two-Day service performance with 97.7 percent on time, and San Francisco led the nation in Three-To-Five-Day service performance with 94.7 percent on time.

United States Postal Service®

Quarter III
FY2020**Quarterly Performance for Presort First-Class Mail®**
Mailpieces Delivered Between 04/01/2020 and 06/30/2020

District	Overnight	Two-Day	Three-To-Five-Day
	Percent On Time	Percent On Time	Percent On Time
Capital Metro Area	95.8	94.5	91.6
Atlanta	95.8	95.2	92.7
Baltimore	92.6	88.5	83.2
Capital	88.8	91.9	89.4
Greater South Carolina	97.2	95.9	92.4
Greensboro	97.2	96.4	92.2
Mid-Carolinas	96.7	95.2	93.2
Northern Virginia	95.5	93.2	90.6
Richmond	94.2	93.6	90.3
Eastern Area	96.3	93.6	91.9
Appalachian	97.9	95.4	93.4
Central Pennsylvania	97.0	93.6	91.7
Kentuckiana	97.1	94.9	92.2
Northern Ohio	95.6	92.4	90.7
Ohio Valley	94.5	93.1	91.6
Philadelphia Metro	95.4	92.4	92.6
South Jersey	97.2	93.0	91.5
Tennessee	96.2	94.9	91.2
Western New York	97.2	95.8	92.4
Western Pennsylvania	97.7	94.7	93.7
Great Lakes Area	92.7	90.3	88.8
Central Illinois	93.5	92.0	87.3
Chicago	91.5	90.1	87.6
Detroit	82.4	74.7	78.6
Gateway	95.8	94.4	92.8
Greater Indiana	95.2	92.5	93.8
Greater Michigan	94.5	90.1	91.2
Lakeland	95.8	93.6	88.0
Northeast Area	94.3	90.7	86.8
Albany	97.4	92.4	91.7
Caribbean	94.8	97.7	83.2
Connecticut Valley	95.5	92.9	88.4
Greater Boston	96.0	94.8	88.1
Long Island	88.6	87.5	82.5
New York	64.1	66.8	65.6
Northern New England	95.8	94.2	84.5
Northern New Jersey	92.4	92.1	91.4
Triboro	88.7	84.7	80.1
Westchester	90.5	88.6	86.9
Pacific Area	95.8	95.5	91.0
Bay-Valley	97.5	95.2	93.2
Honolulu	98.2	N/A	80.4
Los Angeles	94.1	95.9	91.3
Sacramento	95.5	94.6	89.5
San Diego	97.3	95.6	90.0
San Francisco	95.6	94.5	94.7
Santa Ana	98.1	96.6	92.3
Sierra Coastal	96.7	96.2	92.8

United States Postal Service®

Quarter III
FY2020**Quarterly Performance for Presort First-Class Mail®**
Mailpieces Delivered Between 04/01/2020 and 06/30/2020

District	Overnight	Two-Day	Three-To-Five-Day
	Percent On Time	Percent On Time	Percent On Time
Southern Area	96.8	95.2	91.5
Alabama	96.9	96.2	92.5
Arkansas	97.0	95.2	92.9
Dallas	96.2	94.6	90.8
Fort Worth	94.5	93.7	91.7
Gulf Atlantic	98.1	96.2	92.6
Houston	96.9	94.5	89.5
Louisiana	95.3	94.4	89.6
Mississippi	96.9	94.0	91.4
Oklahoma	97.6	94.6	93.1
Rio Grande	96.3	94.9	92.7
South Florida	97.0	95.2	91.9
Suncoast	97.3	96.5	92.3
Western Area	96.7	96.0	91.3
Alaska	98.8	97.3	92.4
Arizona	96.9	97.0	91.9
Central Plains	95.2	96.4	93.6
Colorado/Wyoming	95.3	90.0	87.3
Dakotas	98.5	97.4	92.8
Hawkeye	96.1	95.7	92.4
Mid-America	97.0	95.6	90.8
Nevada-Sierra	98.6	92.0	94.1
Northland	97.2	95.7	87.5
Portland	97.3	96.5	89.7
Salt Lake City	96.8	97.6	89.3
Seattle	96.6	96.1	89.6
Nation FY2020 Q3	95.7	93.2	90.7
Nation FY2019 Q3 (SPLY)	96.3	95.3	93.6
Nation FY2009 Annual	94.3	90.0	85.1
Nation FY2010 Annual	93.4	92.7	88.2
Nation FY2011 Annual	90.8	89.1	90.6
Nation FY2012 Annual	96.8	95.7	95.1
Nation FY2013 Annual	97.2	97.0	95.1
Nation FY2014 Annual	97.0	96.4	92.2
Nation FY2015 Annual	95.7	93.6	87.8
Nation FY2016 Annual	96.2	95.1	91.7
Nation FY2017 Annual	96.5	95.6	93.2
Nation FY2018 Annual	96.0	94.9	92.0
Nation FY2019 Annual	95.5	94.1	92.0
Nation FY2020 Q1	94.4	93.5	91.2
Nation FY2020 Q2	95.9	94.4	92.6
FY2020 Annual Target	96.80	96.50	95.25

United States Postal Service®
Quarterly Performance for Presort First-Class Mail®
Service Variance

Quarter III
FY2020

Overview

Beginning FY2019 Q1, service performance for Presort First-Class Mail® is measured through the USPS® internal measurement system. The system uses documented arrival time at a designated postal facility to start the clock, and an Intelligent Mail® barcode (IMB®) scan by postal personnel at delivery for randomly selected delivery points to stop the clock. Mail piece tracking from IMB® in-process scans is used in conjunction with the sampling data to extrapolate results for the entire volume of measurement eligible Full Service Intelligent Mail. The transit time from the start-the-clock through final automated processing is the Processing Duration leg, and the transit time from final automated processing until delivery is the Last Mile. Total transit time was calculated for the mail and compared with the appropriate service standard for the product to determine the service performance.

Scores prior to FY2019 Q1 were calculated and compiled by an independent external contractor. The system used for this reporting was called the Intelligent Mail® Accuracy and Performance System (iMAPS). The external contractor determined service performance based on the elapsed time between the start-the-clock event recorded by U.S. Postal Service® and the stop-the-clock event recorded by anonymous households and small businesses that report delivery information directly to the contractor. The service measure consisted of two parts: (1) how long mail pieces take to get through processing, and (2) how long mail takes from the last processing scan to delivery. The second portion was used as a delivery factor differential to determine the percent of all Presort First-Class Mail® delivered on the last processing date versus the percent delivered after the last processing date. Service performance was measured by comparing the transit time to USPS® service standards to determine the percent of mail delivered on time.

Performance Highlights

National Presort First-Class Mail® Overnight performance in FY2020 Quarter 3 was 95.7 percent on time, which is 0.6 points lower than the same period last year. National Two-Day performance was 93.2 percent on time, which is 2.1 points lower than the same period last year. National Three-To-Five-Day performance was 90.7 percent on time, which is 2.9 points lower when compared to the same period last year.

Southern Area led the nation in Overnight service performance, with 96.8 percent on time. Western Area led the nation in Two-Day service performance, with 96.0 percent on time in FY2020 Quarter 3. Eastern Area led the nation in Three-To-Five-Day service performance, with 91.9 percent on time.

In FY2020 Quarter 3, 29 districts met or exceeded the Overnight performance target of 96.80, eight districts met or exceeded the Two-Day service performance target of 96.50, and none of the districts met or exceeded the Three-To-Five-Day service performance target of 95.25. Alaska led the nation in Overnight service performance with 98.8 percent on time. Caribbean led in Two-Day service performance with 97.7 percent on time, and San Francisco led the nation in Three-To-Five-Day service performance with 94.7 percent on time.

United States Postal Service®

Quarter III

FY2020

Quarterly Performance for Presort First-Class Mail®**Service Variance****Mailpieces Delivered Between 04/01/2020 and 06/30/2020**

District	Overnight			Two-Day			Three-To-Five-Day		
	Percent Within +1-Day	Percent Within +2-Days	Percent Within +3-Days	Percent Within +1-Day	Percent Within +2-Days	Percent Within +3-Days	Percent Within +1-Day	Percent Within +2-Days	Percent Within +3-Days
Capital Metro Area	98.5	99.1	99.4	98.0	99.0	99.4	97.1	98.6	99.2
Atlanta	98.4	99.0	99.3	98.3	99.1	99.5	97.3	98.5	99.1
Baltimore	98.0	98.9	99.2	96.1	98.2	99.0	94.2	97.5	98.6
Capital	97.2	98.6	99.3	96.8	98.5	99.0	96.3	98.1	98.8
Greater South Carolina	99.0	99.5	99.7	98.6	99.3	99.6	97.5	99.0	99.4
Greensboro	99.1	99.5	99.6	98.7	99.3	99.7	97.4	98.9	99.5
Mid-Carolinas	98.8	99.2	99.5	98.2	99.1	99.5	97.5	98.8	99.2
Northern Virginia	98.0	98.8	99.2	97.6	98.7	99.1	97.1	98.6	99.1
Richmond	97.6	98.9	99.2	97.6	98.8	99.3	97.0	98.6	99.2
Eastern Area	98.6	99.2	99.5	97.5	98.7	99.2	97.2	98.6	99.2
Appalachian	99.2	99.5	99.7	98.2	99.2	99.5	97.7	99.0	99.5
Central Pennsylvania	99.0	99.4	99.6	97.9	98.9	99.3	97.0	98.4	99.1
Kentuckiana	98.9	99.4	99.6	98.3	99.1	99.5	97.4	98.7	99.3
Northern Ohio	98.3	99.1	99.4	96.4	98.1	99.0	96.3	98.0	98.8
Ohio Valley	97.9	98.8	99.2	96.6	98.1	98.9	97.0	98.6	99.2
Philadelphia Metro	98.4	99.0	99.3	97.4	98.6	99.1	97.5	98.8	99.2
South Jersey	98.9	99.4	99.5	97.6	98.8	99.2	97.3	98.8	99.3
Tennessee	98.5	99.2	99.5	98.3	99.2	99.5	97.1	98.7	99.3
Western New York	99.0	99.5	99.7	98.6	99.3	99.6	97.6	98.9	99.4
Western Pennsylvania	99.3	99.6	99.8	98.5	99.2	99.6	98.0	99.0	99.4
Great Lakes Area	97.2	98.5	99.1	95.9	97.8	98.7	95.6	97.7	98.7
Central Illinois	97.6	98.9	99.4	97.2	98.8	99.3	95.5	97.9	98.8
Chicago	97.8	98.9	99.2	96.5	98.2	98.9	94.7	96.8	98.3
Detroit	92.4	96.1	97.7	85.9	91.6	94.7	89.5	94.2	96.5
Gateway	98.3	99.0	99.3	98.0	99.0	99.4	97.6	98.8	99.3
Greater Indiana	98.3	99.2	99.5	97.4	98.7	99.3	97.8	99.0	99.4
Greater Michigan	98.1	99.0	99.3	95.9	97.7	98.6	96.7	98.3	99.0
Lakeland	98.7	99.3	99.6	97.8	98.9	99.4	95.6	97.8	98.8
Northeast Area	97.7	98.7	99.2	96.4	98.0	98.7	95.2	97.8	98.7
Albany	99.0	99.5	99.7	97.1	98.4	99.0	97.6	99.0	99.5
Caribbean	98.4	99.1	99.4	99.0	99.4	99.5	94.0	96.7	98.2
Connecticut Valley	97.9	98.7	99.3	97.3	98.5	99.0	95.9	98.2	99.0
Greater Boston	98.3	99.1	99.4	98.1	98.9	99.3	96.4	98.5	99.1
Long Island	97.7	99.1	99.5	95.5	97.7	98.6	93.9	97.8	98.8
New York	79.7	89.6	94.4	85.4	92.2	95.2	83.0	91.4	94.9
Northern New England	98.0	99.3	99.5	98.0	99.1	99.4	93.8	97.4	98.7
Northern New Jersey	96.6	97.9	98.5	96.7	98.1	98.7	96.9	98.3	99.0
Triboro	95.1	97.1	97.9	94.5	96.7	97.6	92.6	96.0	97.3
Westchester	95.5	97.3	98.0	95.3	97.4	98.3	95.4	97.7	98.6
Pacific Area	98.8	99.3	99.6	98.8	99.4	99.6	97.0	98.6	99.2
Bay-Valley	99.1	99.5	99.7	98.9	99.4	99.7	97.3	98.7	99.3
Honolulu	99.2	99.6	99.8	N/A	N/A	N/A	92.8	96.9	98.6
Los Angeles	98.3	99.0	99.3	98.9	99.4	99.6	96.9	98.4	99.1
Sacramento	98.8	99.4	99.6	98.6	99.3	99.6	96.8	98.6	99.2
San Diego	99.1	99.5	99.7	98.9	99.6	99.7	97.1	98.8	99.4
San Francisco	98.3	99.1	99.4	98.4	99.1	99.4	98.0	99.0	99.3
Santa Ana	99.4	99.7	99.8	99.0	99.5	99.7	97.5	98.9	99.5
Sierra Coastal	98.9	99.5	99.6	99.0	99.5	99.7	97.4	98.9	99.4

United States Postal Service®

Quarter III
FY2020**Quarterly Performance for Presort First-Class Mail®****Service Variance**

Mailpieces Delivered Between 04/01/2020 and 06/30/2020

District	Overnight			Two-Day			Three-To-Five-Day		
	Percent Within +1-Day	Percent Within +2-Days	Percent Within +3-Days	Percent Within +1-Day	Percent Within +2-Days	Percent Within +3-Days	Percent Within +1-Day	Percent Within +2-Days	Percent Within +3-Days
Southern Area	98.9	99.4	99.6	98.4	99.3	99.5	97.2	98.7	99.3
Alabama	98.9	99.4	99.6	98.5	99.3	99.6	97.6	98.8	99.3
Arkansas	98.9	99.5	99.6	98.5	99.2	99.5	97.4	98.9	99.4
Dallas	98.7	99.2	99.5	98.3	99.2	99.5	97.0	98.6	99.2
Fort Worth	98.7	99.3	99.6	98.1	99.2	99.5	97.3	98.8	99.3
Gulf Atlantic	99.1	99.5	99.7	98.7	99.4	99.6	97.5	98.9	99.4
Houston	98.8	99.3	99.6	98.1	99.2	99.5	96.4	98.4	99.2
Louisiana	98.4	99.2	99.4	98.4	99.1	99.4	96.5	98.5	99.2
Mississippi	99.0	99.4	99.6	97.6	99.0	99.4	96.7	98.5	99.2
Oklahoma	99.0	99.4	99.6	98.5	99.3	99.5	97.7	98.9	99.4
Rio Grande	98.7	99.3	99.6	98.1	99.2	99.6	97.4	98.9	99.4
South Florida	98.8	99.2	99.5	98.5	99.2	99.6	97.3	98.7	99.3
Suncoast	99.1	99.5	99.7	99.0	99.5	99.7	97.7	98.9	99.4
Western Area	98.9	99.4	99.6	98.7	99.3	99.6	97.1	98.6	99.2
Alaska	99.2	99.6	99.7	98.4	98.8	98.9	96.6	98.4	99.0
Arizona	98.9	99.3	99.5	98.9	99.2	99.4	97.4	98.8	99.3
Central Plains	98.5	99.2	99.5	98.8	99.3	99.6	97.6	98.8	99.3
Colorado/Wyoming	98.2	99.0	99.3	97.7	99.0	99.4	96.1	98.2	99.1
Dakotas	99.4	99.7	99.7	99.1	99.5	99.7	97.3	98.7	99.3
Hawkeye	98.7	99.4	99.6	98.5	99.3	99.6	97.6	98.8	99.3
Mid-America	99.0	99.5	99.7	98.6	99.3	99.6	97.2	98.6	99.2
Nevada-Sierra	99.4	99.7	99.7	97.6	98.8	99.5	97.7	98.9	99.3
Northland	98.9	99.5	99.7	98.6	99.4	99.6	96.1	98.4	99.2
Portland	99.0	99.5	99.7	98.8	99.4	99.6	96.7	98.5	99.2
Salt Lake City	99.0	99.4	99.6	98.9	99.3	99.6	96.4	98.4	99.1
Seattle	98.9	99.4	99.7	98.8	99.4	99.6	97.0	98.7	99.3
Nation FY2020 Q3	98.4	99.1	99.4	97.5	98.7	99.2	96.7	98.4	99.1
Nation FY2019 Q3 (SPLY)	98.6	99.2	99.5	98.2	99.1	99.4	97.9	98.9	99.4
Nation FY2009 Annual	98.7	99.3	99.4	97.2	98.6	99.2	93.3	96.7	98.3
Nation FY2010 Annual	98.9	99.6	99.8	98.3	99.3	99.6	96.8	98.4	99.0
Nation FY2011 Annual	98.6	99.5	99.7	98.0	99.4	99.7	97.8	99.1	99.6
Nation FY2012 Annual	99.5	99.8	99.9	99.1	99.7	99.8	98.9	99.6	99.8
Nation FY2013 Annual	99.6	99.8	99.9	99.4	99.8	99.9	98.9	99.6	99.8
Nation FY2014 Annual	99.5	99.8	99.9	99.2	99.7	99.9	97.8	99.2	99.6
Nation FY2015 Annual	99.1	99.6	99.8	98.5	99.4	99.7	96.6	98.8	99.5
Nation FY2016 Annual	99.1	99.6	99.8	98.7	99.4	99.7	97.6	99.0	99.5
Nation FY2017 Annual	99.1	99.6	99.8	98.7	99.4	99.7	98.1	99.2	99.6
Nation FY2018 Annual	99.0	99.5	99.7	98.6	99.4	99.7	97.8	99.1	99.5
Nation FY2019 Annual	98.4	99.1	99.4	97.9	99.0	99.4	97.4	98.7	99.3
Nation FY2020 Q1	97.9	98.8	99.2	97.7	98.9	99.3	97.1	98.7	99.2
Nation FY2020 Q2	98.6	99.2	99.5	98.1	99.1	99.5	97.6	98.9	99.4

United States Postal Service®
Quarterly Performance for Single-Piece First-Class Mail®

Quarter III
 FY2020

Overview

Beginning FY2019 Q1, service performance for Single-Piece First-Class Mail® is measured through the USPS® internal measurement system. The system combines scanning of mailpieces by postal personnel at randomly selected collection and delivery points with in-process machine scans for all eligible mail to estimate total transit time for the mail. The total transit is comprised of three legs: collection to initial automated processing, known as First Mile; initial processing to final automated processing, known as Processing Duration; and final processing to delivery, known as Last Mile. The estimated transit-time is compared against Single-Piece First-Class Mail® service standards to determine the percent of mail delivered on time.

Scores prior to FY2019 Q1 were calculated via the External First-Class Mail® Measurement System (EXFC). EXFC was an external sampling system that measured the time it took from deposit of mail into a collection box or lobby chute until its delivery to a home or business.

Single-Piece First-Class Mail® parcels were classified as a competitive product effective for pieces mailed on or after September 3, 2017; therefore, Single-Piece First-Class Mail® parcel results are no longer included in Single-Piece First-Class Mail® reporting.

Limitations

Single piece mail that is first observed in incoming processing operations rather than the expected outgoing processing operations is referred to as First Processing Operation Type 2 mail, or FPO2. The volume of FPO2 mail as a proportion of total single-piece volume observed in processing duration in Internal SPM is significantly higher than the proportion observed for pieces sampled in collection or associated from the retail channel, particularly for flats. This is likely due to the inclusion of commercial mail that is sorted to destination and begins processing in incoming sort operations but is not able to be identified as commercial mail. Because FPO2 mail generally experiences longer durations in First Mile than mail first observed in outgoing operations, the higher proportion of FPO2 mail led to scores which were not accurate. FPO2 volume proportions in single-piece processing duration have been weighted for reporting such that they are aligned with the volume proportions observed for pieces in the collection sampling process and retail pieces to improve the measurement accuracy.

Sampling for most high-volume courtesy and business reply mail delivery points was not enabled during the quarter, resulting in very limited representation of the reply mail portion of Single-Piece First-Class Mail® letters/postcards in the Last Mile sample. Due to the very limited data available to measure the overall transit time for this mail, all of the courtesy and business reply mail were excluded from these results. It should be noted that the legacy system did not measure delivery to these delivery points either. This is a deviation to the plan, not a degradation in comparison to the legacy system.

Performance Highlights

In FY2020 Quarter 3, national Single-Piece First-Class Mail® Two-Day performance was 92.4 percent on time and national Three-To-Five Day performance was 81.4 percent on time. The Two-Day performance score was 1.5 points lower than the same period last year. The Three-To-Five-Day performance score was 5.1 points lower than the same period last year.

Nationally, at least 98.1 percent of mail across all service standards was delivered within the service standard plus three days in FY2020 Quarter 3.

In FY2020 Quarter 3 at the district level, there were not any districts that scored at or above the performance target of 96.50 for Two-Day. Dakotas had the highest Two-Day performance at 96.1 percent on time. Two-Day performance improved for 9 out of 67 districts compared to the same period last year. Hawkeye had the highest Three-To-Five-Day performance at 87.3 percent on time. Three-To-Five-Day performance improved for one district compared to the same period last year.

United States Postal Service®

Quarter III
FY2020**Quarterly Performance for Single-Piece First-Class Mail®**
Mailpieces Delivered Between 04/01/2020 and 06/30/2020

District	Overnight	Two-Day	Three-To-Five-Day
	Percent On Time	Percent On Time	Percent On Time
Capital Metro Area	N/A	92.0	82.2
Atlanta	N/A	92.1	83.5
Baltimore	N/A	88.9	73.6
Capital	N/A	88.9	81.4
Greater South Carolina	N/A	95.1	85.3
Greensboro	N/A	93.2	83.2
Mid-Carolinas	N/A	93.4	81.7
Northern Virginia	N/A	91.6	84.8
Richmond	N/A	91.0	80.3
Eastern Area	N/A	93.6	83.6
Appalachian	N/A	94.7	84.8
Central Pennsylvania	N/A	93.5	82.1
Kentuckiana	N/A	94.6	83.3
Northern Ohio	N/A	92.3	82.8
Ohio Valley	N/A	92.5	83.7
Philadelphia Metro	N/A	91.8	83.3
South Jersey	N/A	92.8	82.0
Tennessee	N/A	94.4	83.6
Western New York	N/A	95.2	84.0
Western Pennsylvania	N/A	95.7	86.7
Great Lakes Area	N/A	90.2	80.7
Central Illinois	N/A	91.8	82.0
Chicago	N/A	88.7	80.0
Detroit	N/A	73.5	64.7
Gateway	N/A	92.6	83.9
Greater Indiana	N/A	93.6	84.0
Greater Michigan	N/A	91.8	81.9
Lakeland	N/A	94.0	83.7
Northeast Area	N/A	88.3	73.8
Albany	N/A	93.6	83.0
Caribbean	N/A	90.0	67.5
Connecticut Valley	N/A	90.0	77.8
Greater Boston	N/A	90.9	77.8
Long Island	N/A	86.6	72.2
New York	N/A	68.4	53.6
Northern New England	N/A	94.0	76.5
Northern New Jersey	N/A	87.1	72.2
Triboro	N/A	74.5	60.9
Westchester	N/A	88.2	74.4
Pacific Area	N/A	92.9	80.8
Bay-Valley	N/A	93.4	84.0
Honolulu	N/A	92.1	61.1
Los Angeles	N/A	89.2	76.2
Sacramento	N/A	92.1	80.6
San Diego	N/A	94.0	79.8
San Francisco	N/A	93.7	84.6
Santa Ana	N/A	94.3	83.2
Sierra Coastal	N/A	93.5	82.1

United States Postal Service®

Quarter III
FY2020**Quarterly Performance for Single-Piece First-Class Mail®**
Mailpieces Delivered Between 04/01/2020 and 06/30/2020

District	Overnight	Two-Day	Three-To-Five-Day
	Percent On Time	Percent On Time	Percent On Time
Southern Area	N/A	93.6	82.1
Alabama	N/A	93.1	82.2
Arkansas	N/A	95.2	84.7
Dallas	N/A	92.6	83.6
Fort Worth	N/A	92.0	81.1
Gulf Atlantic	N/A	94.5	80.9
Houston	N/A	92.1	79.6
Louisiana	N/A	93.1	80.9
Mississippi	N/A	94.1	82.0
Oklahoma	N/A	96.0	84.4
Rio Grande	N/A	93.7	82.9
South Florida	N/A	92.2	80.9
Suncoast	N/A	94.1	82.6
Western Area	N/A	94.4	82.5
Alaska	N/A	92.3	87.0
Arizona	N/A	94.2	81.9
Central Plains	N/A	95.6	83.9
Colorado/Wyoming	N/A	90.4	75.4
Dakotas	N/A	96.1	85.4
Hawkeye	N/A	95.9	87.3
Mid-America	N/A	94.3	81.3
Nevada-Sierra	N/A	95.0	84.9
Northland	N/A	94.3	83.3
Portland	N/A	92.7	81.8
Salt Lake City	N/A	96.0	83.7
Seattle	N/A	94.6	82.1
Nation FY2020 Q3	N/A	92.4	81.4
Nation FY2019 Q3 (SPLY)	N/A	93.9	86.5
Nation FY2009 Annual	96.1	93.5	90.8
Nation FY2010 Annual	96.3	93.6	91.6
Nation FY2011 Annual	96.2	93.4	91.2
Nation FY2012 Annual	96.5	94.8	92.3
Nation FY2013 Annual	96.1	95.3	91.6
Nation FY2014 Annual	96.0	94.9	87.7
Nation FY2015 Annual	95.6	93.2	76.5
Nation FY2016 Annual	N/A	94.7	83.7
Nation FY2017 Annual	N/A	94.7	85.6
Nation FY2018 Annual	N/A	93.8	82.5
Nation FY2019 Annual	N/A	92.0	80.9
Nation FY2020 Q1	N/A	91.9	78.2
Nation FY2020 Q2	N/A	93.0	83.3
FY2020 Annual Target	N/A	96.50	95.25

United States Postal Service®
Quarterly Performance for Single-Piece First-Class Mail®
Service Variance

Quarter III
FY2020

Overview

Beginning FY2019 Q1, service performance for Single-Piece First-Class Mail® is measured through the USPS® internal measurement system. The system combines scanning of mailpieces by postal personnel at randomly selected collection and delivery points with in-process machine scans for all eligible mail to estimate total transit time for the mail. The total transit is comprised of three legs: collection to initial automated processing, known as First Mile; initial processing to final automated processing, known as Processing Duration; and final processing to delivery, known as Last Mile. The estimated transit-time is compared against Single-Piece First-Class Mail® service standards to determine the percent of mail delivered on time.

Scores prior to FY2019 Q1 were calculated via the External First-Class Mail® Measurement System (EXFC). EXFC was an external sampling system that measured the time it took from deposit of mail into a collection box or lobby chute until its delivery to a home or business.

Single-Piece First-Class Mail® parcels were classified as a competitive product effective for pieces mailed on or after September 3, 2017; therefore, Single-Piece First-Class Mail® parcel results are no longer included in Single-Piece First-Class Mail® reporting.

Limitations

Single piece mail that is first observed in incoming processing operations rather than the expected outgoing processing operations is referred to as First Processing Operation Type 2 mail, or FPO2. The volume of FPO2 mail as a proportion of total single-piece volume observed in processing duration in Internal SPM is significantly higher than the proportion observed for pieces sampled in collection or associated from the retail channel, particularly for flats. This is likely due to the inclusion of commercial mail that is sorted to destination and begins processing in incoming sort operations but is not able to be identified as commercial mail. Because FPO2 mail generally experiences longer durations in First Mile than mail first observed in outgoing operations, the higher proportion of FPO2 mail led to scores which were not accurate. FPO2 volume proportions in single-piece processing duration have been weighted for reporting such that they are aligned with the volume proportions observed for pieces in the collection sampling process and retail pieces to improve the measurement accuracy.

Sampling for most high-volume courtesy and business reply mail delivery points was not enabled during the quarter, resulting in very limited representation of the reply mail portion of Single-Piece First-Class Mail® letters/postcards in the Last Mile sample. Due to the very limited data available to measure the overall transit time for this mail, all of the courtesy and business reply mail were excluded from these results. It should be noted that the legacy system did not measure delivery to these delivery points either. This is a deviation to the plan, not a degradation in comparison to the legacy system.

Performance Highlights

In FY2020 Quarter 3, national Single-Piece First-Class Mail® Two-Day performance was 92.4 percent on time and national Three-To-Five Day performance was 81.4 percent on time. The Two-Day performance score was 1.5 points lower than the same period last year. The Three-To-Five-Day performance score was 5.1 points lower than the same period last year.

Nationally, at least 98.1 percent of mail across all service standards was delivered within the service standard plus three days in FY2020 Quarter 3.

In FY2020 Quarter 3 at the district level, there were not any districts that scored at or above the performance target of 96.50 for Two-Day. Dakotas had the highest Two-Day performance at 96.1 percent on time. Two-Day performance improved for 9 out of 67 districts compared to the same period last year. Hawkeye had the highest Three-To-Five-Day performance at 87.3 percent on time. Three-To-Five-Day performance improved for one district compared to the same period last year.

United States Postal Service®
Quarterly Performance for Single-Piece First-Class Mail®
Service Variance
Mailpieces Delivered Between 04/01/2020 and 06/30/2020

Quarter III
FY2020

District	Overnight			Two-Day			Three-To-Five-Day		
	Percent Within +1-Day	Percent Within +2-Days	Percent Within +3-Days	Percent Within +1-Day	Percent Within +2-Days	Percent Within +3-Days	Percent Within +1-Day	Percent Within +2-Days	Percent Within +3-Days
Capital Metro Area	N/A	N/A	N/A	97.1	98.5	99.0	93.9	97.0	98.2
Atlanta	N/A	N/A	N/A	96.9	98.3	98.8	93.9	96.8	98.1
Baltimore	N/A	N/A	N/A	96.0	97.8	98.6	90.8	95.6	97.5
Capital	N/A	N/A	N/A	95.6	97.6	98.4	93.2	96.4	97.8
Greater South Carolina	N/A	N/A	N/A	98.4	99.1	99.4	95.1	97.7	98.7
Greensboro	N/A	N/A	N/A	97.9	98.9	99.3	94.6	97.4	98.5
Mid-Carolinas	N/A	N/A	N/A	97.7	98.7	99.2	93.6	97.0	98.3
Northern Virginia	N/A	N/A	N/A	97.0	98.4	98.9	95.2	97.6	98.6
Richmond	N/A	N/A	N/A	96.9	98.4	99.0	93.7	96.8	98.2
Eastern Area	N/A	N/A	N/A	97.5	98.6	99.1	94.2	97.1	98.3
Appalachian	N/A	N/A	N/A	98.3	99.1	99.4	94.5	97.2	98.4
Central Pennsylvania	N/A	N/A	N/A	97.5	98.6	99.1	94.0	97.1	98.4
Kentuckiana	N/A	N/A	N/A	98.1	98.9	99.3	94.3	97.1	98.3
Northern Ohio	N/A	N/A	N/A	96.8	98.3	98.9	93.6	96.5	97.9
Ohio Valley	N/A	N/A	N/A	96.9	98.2	98.9	94.1	96.9	98.2
Philadelphia Metro	N/A	N/A	N/A	96.6	98.1	98.8	93.9	97.0	98.3
South Jersey	N/A	N/A	N/A	97.0	98.3	98.9	94.0	97.1	98.3
Tennessee	N/A	N/A	N/A	98.0	98.9	99.2	94.2	97.0	98.3
Western New York	N/A	N/A	N/A	98.2	99.0	99.4	94.4	97.2	98.4
Western Pennsylvania	N/A	N/A	N/A	98.5	99.2	99.5	95.5	97.8	98.7
Great Lakes Area	N/A	N/A	N/A	96.1	97.9	98.6	92.5	96.0	97.6
Central Illinois	N/A	N/A	N/A	96.8	98.3	98.9	93.8	96.9	98.2
Chicago	N/A	N/A	N/A	95.7	97.6	98.5	92.5	96.1	97.7
Detroit	N/A	N/A	N/A	88.7	93.8	96.0	82.0	89.3	93.1
Gateway	N/A	N/A	N/A	97.2	98.5	99.0	94.1	96.9	98.2
Greater Indiana	N/A	N/A	N/A	97.6	98.7	99.2	94.5	97.2	98.4
Greater Michigan	N/A	N/A	N/A	96.9	98.2	98.9	93.3	96.6	98.0
Lakeland	N/A	N/A	N/A	97.7	98.7	99.2	94.4	97.3	98.4
Northeast Area	N/A	N/A	N/A	95.0	97.2	98.1	89.8	94.9	97.0
Albany	N/A	N/A	N/A	97.6	98.7	99.2	94.5	97.4	98.5
Caribbean	N/A	N/A	N/A	95.6	97.2	98.0	87.4	93.3	95.9
Connecticut Valley	N/A	N/A	N/A	95.7	97.7	98.6	91.9	96.1	97.8
Greater Boston	N/A	N/A	N/A	96.2	97.9	98.6	92.4	96.3	97.9
Long Island	N/A	N/A	N/A	94.9	97.2	98.2	90.1	95.5	97.5
New York	N/A	N/A	N/A	84.6	91.2	94.3	75.2	86.7	92.2
Northern New England	N/A	N/A	N/A	97.6	98.7	99.1	90.7	95.4	97.5
Northern New Jersey	N/A	N/A	N/A	94.1	96.4	97.5	89.3	94.3	96.4
Triboro	N/A	N/A	N/A	89.1	93.9	95.8	83.9	91.8	94.9
Westchester	N/A	N/A	N/A	95.0	97.4	98.3	90.6	95.8	97.6
Pacific Area	N/A	N/A	N/A	97.6	98.7	99.1	93.4	96.8	98.2
Bay-Valley	N/A	N/A	N/A	98.0	99.0	99.3	94.3	97.2	98.4
Honolulu	N/A	N/A	N/A	96.8	98.1	98.9	83.1	92.8	96.4
Los Angeles	N/A	N/A	N/A	95.9	97.7	98.3	91.3	95.5	97.3
Sacramento	N/A	N/A	N/A	97.8	98.8	99.2	93.7	97.1	98.3
San Diego	N/A	N/A	N/A	97.8	98.7	99.2	93.6	97.2	98.4
San Francisco	N/A	N/A	N/A	97.6	98.7	99.1	94.3	96.9	98.1
Santa Ana	N/A	N/A	N/A	98.1	98.9	99.3	94.5	97.4	98.5
Sierra Coastal	N/A	N/A	N/A	97.7	98.7	99.2	94.3	97.3	98.5

United States Postal Service®
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Service Variance
Mailpieces Delivered Between 04/01/2020 and 06/30/2020

Quarter III
FY2020

District	Overnight			Two-Day			Three-To-Five-Day		
	Percent Within +1-Day	Percent Within +2-Days	Percent Within +3-Days	Percent Within +1-Day	Percent Within +2-Days	Percent Within +3-Days	Percent Within +1-Day	Percent Within +2-Days	Percent Within +3-Days
Southern Area	N/A	N/A	N/A	97.5	98.6	99.1	93.8	96.9	98.2
Alabama	N/A	N/A	N/A	97.4	98.7	99.2	93.9	97.0	98.4
Arkansas	N/A	N/A	N/A	98.3	99.1	99.4	94.9	97.5	98.6
Dallas	N/A	N/A	N/A	96.9	98.1	98.6	94.0	96.8	97.9
Fort Worth	N/A	N/A	N/A	96.7	98.0	98.6	93.1	96.4	97.7
Gulf Atlantic	N/A	N/A	N/A	98.0	98.9	99.3	93.4	96.8	98.2
Houston	N/A	N/A	N/A	96.8	98.2	98.8	93.1	96.7	98.1
Louisiana	N/A	N/A	N/A	97.4	98.5	98.9	93.1	96.5	97.9
Mississippi	N/A	N/A	N/A	97.8	98.7	99.2	93.2	96.6	98.0
Oklahoma	N/A	N/A	N/A	98.6	99.2	99.5	95.1	97.6	98.6
Rio Grande	N/A	N/A	N/A	97.8	98.9	99.2	93.9	96.9	98.2
South Florida	N/A	N/A	N/A	96.9	98.2	98.8	93.2	96.7	98.1
Suncoast	N/A	N/A	N/A	97.8	98.8	99.3	94.3	97.2	98.5
Western Area	N/A	N/A	N/A	98.1	99.0	99.3	94.3	97.2	98.4
Alaska	N/A	N/A	N/A	96.8	98.3	98.9	94.6	97.3	98.5
Arizona	N/A	N/A	N/A	97.8	98.7	99.1	94.1	97.1	98.2
Central Plains	N/A	N/A	N/A	98.5	99.1	99.5	94.6	97.4	98.5
Colorado/Wyoming	N/A	N/A	N/A	96.7	98.2	98.7	92.1	96.3	97.9
Dakotas	N/A	N/A	N/A	98.7	99.3	99.6	95.1	97.6	98.6
Hawkeye	N/A	N/A	N/A	98.6	99.3	99.6	95.7	97.8	98.7
Mid-America	N/A	N/A	N/A	98.1	99.0	99.4	93.5	96.9	98.3
Nevada-Sierra	N/A	N/A	N/A	98.2	98.9	99.3	94.7	97.3	98.4
Northland	N/A	N/A	N/A	97.9	99.0	99.4	94.9	97.6	98.7
Portland	N/A	N/A	N/A	98.1	99.0	99.4	93.7	97.0	98.3
Salt Lake City	N/A	N/A	N/A	98.7	99.2	99.5	94.5	97.4	98.5
Seattle	N/A	N/A	N/A	98.2	99.0	99.4	94.4	97.3	98.4
Nation FY2020 Q3	N/A	N/A	N/A	97.1	98.4	98.9	93.4	96.7	98.1
Nation FY2019 Q3 (SPLY)	N/A	N/A	N/A	97.7	98.7	99.1	95.6	97.8	98.7
Nation FY2009 Annual	99.2	99.6	99.8	98.5	99.4	99.7	97.5	99.1	99.6
Nation FY2010 Annual	99.2	99.6	99.8	98.5	99.4	99.7	97.9	99.2	99.6
Nation FY2011 Annual	99.2	99.6	99.8	98.4	99.4	99.7	97.7	99.1	99.6
Nation FY2012 Annual	99.2	99.6	99.8	98.8	99.5	99.7	98.0	99.2	99.7
Nation FY2013 Annual	99.1	99.6	99.8	98.7	99.5	99.7	97.8	99.1	99.6
Nation FY2014 Annual	99.1	99.6	99.7	98.7	99.4	99.7	96.4	98.5	99.3
Nation FY2015 Annual	99.0	99.5	99.7	98.3	99.3	99.6	93.3	97.4	98.9
Nation FY2016 Annual	N/A	N/A	N/A	98.5	99.3	99.6	95.5	98.1	99.1
Nation FY2017 Annual	N/A	N/A	N/A	98.5	99.3	99.6	96.0	98.4	99.3
Nation FY2018 Annual	N/A	N/A	N/A	98.2	99.2	99.6	95.0	97.9	99.0
Nation FY2019 Annual	N/A	N/A	N/A	97.1	98.4	99.0	93.5	96.9	98.3
Nation FY2020 Q1	N/A	N/A	N/A	97.1	98.5	99.1	93.0	96.9	98.3
Nation FY2020 Q2	N/A	N/A	N/A	97.3	98.5	99.0	94.4	97.2	98.3

Exhibit 16

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10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
18
19
20
21
22

NO. 1:20-cv-03127-SAB

DECLARATION OF LANCE
GOUGH IN SUPPORT OF
PLAINTIFF STATES' MOTION
FOR PRELIMINARY
INJUNCTION

DECLARATION OF LANCE GOUGH

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, Lance Gough, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. I make this declaration from personal knowledge and based on
5 records from the Chicago Board of Elections, located in Chicago, Illinois, and
6 would testify to the following facts if called as a witness at hearing or trial.

7 3. I am the Executive Director at the Chicago Board of Elections,
8 responsible for managing all voter registrations, ballot and voting-equipment
9 preparations, recruitment and training of poll workers, assignments of polling
10 places, and ensuring equitable and accessible programs for Early Voting, Vote
11 By Mail and Election Day voting in keeping with all state and federal statutes
12 and case law.

13 4. The Chicago Board of Elections serves as the local election
14 authority for Illinois voters who reside in Chicago, Illinois. There are
15 approximately 1.5 million Chicago residents currently registered to vote in the
16 area subject to our jurisdiction. Our office is one of 108 local election
17 authorities in Illinois. The local election authorities handle local voter
18 registration programs, arrange for the printing of ballots, and manage the vote
19 count at the local level. They are additionally responsible for accepting vote by
20 mail applications, mailing ballots to voters who have applied to vote by mail,
21 and accepting ballots returned by mail. *See* 10 ILCS 5/2B-15; 10 ILCS 5/2B-20.

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1 The local election authorities function under the supervision of the Illinois State
 2 Board of Elections (“ISBE”), which oversees the administration of registration
 3 and election laws throughout the State of Illinois. *See* 10 ILCS 5/1A-1.

4 **Illinois’ Statutory Vote by Mail Procedures**

5 5. Illinois has successfully utilized vote by mail procedures for over a
 6 decade. In 2009, Illinois began allowing any qualified and registered voter in
 7 the state to choose to vote by mail in accordance with deadlines and procedures
 8 established in Illinois Election Code. *See* Pub. Act 96-0553 (eff. Aug. 17, 2009)
 9 (amending 10 ILCS 5/19-1).

10 6. This year, in response to the COVID-19 pandemic and to protect
 11 the health of Illinois residents, Illinois enacted new legislation to further
 12 enhance the availability of vote by mail for Illinois voters participating in the
 13 2020 general election. On June 16, 2020, Public Act 101-0642 became law in
 14 Illinois. *See* Pub. Act 101-0642 (eff. June 16, 2020) (creating 10 ILCS 5/2B *et*
 15 *seq.*).

16 7. Public Act 101-0642 permits voters to request applications “for an
 17 official ballot for the 2020 general election to be sent to the elector through
 18 mail.” 10 ILCS 5/2B-15(a).

19 8. In addition, the new law requires election authorities to send
 20 applications for “an official vote by mail ballot for the 2020 general election” to
 21 any elector who voted, whether by mail or in person, in (1) the 2018 general
 22

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election; (2) the 2019 consolidated election (in which various municipal elections occur in Illinois); or (3) the 2020 general primary election. *Id.* § 5/2B-15(b). Vote by mail applications must also be sent to voters who have registered to vote or changed their registration address after March 17, 2020, the date of the general primary election, and on or before July 31, 2020. *Id.* The vote by mail applications sent to voters must also include a notice stating that “upon completion of the application, the elector ***will receive*** an official ballot no more than 40 days and no less than 30 days before the election[.]” *Id.* §5/2B-15(c) (emphasis added). The notice also informs voters that they may return the application by mail to their election authority. *Id.* Both the application and notice are to be sent by mail “to the elector’s registered address and any other mailing address the election authority may have on file, including a mailing address to which a prior vote by mail ballot was mailed.” *Id.* § 5/2B-15(d).

9. Beginning on September 24, 2020, election authorities in Illinois must mail official ballots to voters in Illinois who have requested them. *Id.* § 2B-20(a). Voters requesting a vote by mail ballot on or before October 1, 2020, must receive one “no later than October 6, 2020.” *Id.* For requests received after October 1, 2020, an election authority must mail an official ballot within two business days after receiving the application. *Id.* Election authorities must continue accepting vote by mail applications received by mail or electronically through October 29, 2020—five days before election day, November 3, 2020.

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1 See 10 ILCS 5/19-2. Voters may also submit a vote by mail application in
2 person as late as November 2, 2020, the day before election day. *Id.*

3 10. For voters returning their completed ballots by mail, their ballots
4 must be postmarked on or before election day and received within the fourteen-
5 day period following election day during which provisional ballots are counted.
6 See 10 ILCS 5/19-3, 19-8(c); 10 ILCS 5/20-2.3. Illinois law also permits
7 election authorities to create “secure collection sites for the postage-free return
8 of vote by mail ballots,” and specifically provides that “[e]lection authorities
9 shall accept any vote by mail ballot returned, including ballots returned with
10 insufficient or no postage[.]” 10 ILCS 5/2B-20(e). Voters who received vote by
11 mail ballots and wish to personally return them have until the close of the polls
12 on election day to submit them to collection sites for the issuing election
13 authority. 10 ILCS 5/2B-20(e). Illinois law specifically provides that “[e]lection
14 authorities shall accept any vote by mail ballot returned, including ballots
15 returned with insufficient or no postage[.]” *Id.* Critically, Illinois law permits
16 voters to select whether they will return their ballot by mail or in person using
17 the secure collection site.

18 **Vote By Mail Trends in Chicago, Illinois**

19 11. In previous General Elections, Chicago voters relied upon vote by
20 mail to cast their ballots. Approximately 4% of Chicago ballots cast were
21 received through Absentee/Vote By Mail programs in Presidential Elections
22

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1 from 2000 to 2012. However, by 2016, election authorities and campaigns had
2 begun promoting the no-excuse Vote By Mail option, and approximately 10%
3 of ballots were cast through Vote By Mail programs. Then, at the March 17,
4 2020 Primary, which occurred during the onset of the Covid-19 global
5 pandemic, more than 20% of all ballots were cast through Vote By Mail. The
6 City broke its all-time record with 117,118 applications from civilians in
7 Chicago, college students, military/overseas voters and nursing home residents.

8 12. Following the requirements of the new Illinois statute, starting July
9 18, the Chicago Board of Elections mailed more than 900,000 vote by mail
10 applications to Chicago voters. Chicago would have sent more, but by early
11 July, already 130,000 voters who qualified to receive the applications had
12 already filed applications online to Vote By Mail. The mailing was completed
13 on July 31. The Board currently has processed 233,000 applications and has
14 approximately 20,000 more to be scanned, meaning more than 250,000
15 applications are currently in the pipeline. We have already doubled our all-time
16 records for applications, and we anticipate we may double this number by mid-
17 October. I anticipate that will significantly increase the number of voters who
18 will opt to vote by mail. Historically, we have seen approximately 80% or more
19 of the Vote By Mail ballots returned.

20 13. As of August 18, the Chicago Board of Elections has received
21 more than 250,000 ballot applications from voters who wish to vote by mail.
22

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1 This number is significantly higher than what we have observed in previous
2 General Elections. This is already more than two times the all-time records
3 from March 2020 and November 1944, when so many Chicago voters were
4 serving in the military around the globe during World War II. Given the typical
5 Presidential Election turnout of 1.1 million voters in Chicago, we anticipate
6 more than 25% of all ballots will be cast through Vote By Mail.

7 14. Based on the trends our office is observing, I believe it is highly
8 likely that the 107 other local election authorities in Illinois will witness
9 significant increases in Vote By Mail.

10 **Impacts of United States Postal Service's Recent Changes**

11 15. I am aware and have seen the letter that the United States Postal
12 Service ("USPS") mailed to ISBE on July 30, 2020. In that letter, USPS warned
13 ISBE that that "under our reading of Illinois' election laws, certain deadlines for
14 requesting and casting mail-in ballots are incongruous with the Postal Service's
15 delivery standards. This mismatch creates a risk that ballots requested near the
16 deadline under state law will not be returned by mail in time to be counted under
17 your laws as we understand them." The letter specifically flagged that Illinois
18 permits voters intending to vote by mail to apply for a vote by mail ballot "as late
19 as 5 days before the November general election." It also asserted that "the Postal
20 Service cannot adjust its delivery standards to accommodate the requirements of
21
22

DECLARATION OF LANCE GOUGH

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
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1 state election law.” A copy of the July 30, 2020 letter is attached to this
2 declaration as Exhibit A.

3 16. In addition to the July 30, 2020 letter from USPS, I am also aware
4 of recent media reports indicating that some members of the public have been
5 experiencing delays in mail delivery. I am also aware of media reports
6 indicating that operational changes have recently been occurring at USPS that
7 may have contributed to these delays.

8 17. The Chicago Board of Elections works to ensure that elections in
9 Chicago are fair and that citizens who are eligible to vote can do so in a safe
10 and secure manner. Ensuring the safety of voters is especially critical this year,
11 given the ongoing COVID-19 pandemic. Vote by mail is a vital tool in enabling
12 Illinois voters to safely cast their ballots.

13 18. The deadlines required by Illinois law permit voters to apply to
14 vote by mail up until very close to election day. Having an efficient mail service
15 through USPS is critical to ensuring that voters choosing to vote by mail are
16 able to receive and return their ballots by the deadlines required in Illinois law.

17 19. The need for an efficient mail service through USPS is particularly
18 critical in the final weeks leading up to election day on November 3, 2020.
19 Voters in Illinois can mail or electronically submit applications to vote by
20 through October 29, 2020. For voters submitting their applications on October
21 29 or the few days leading up to that date, having reliable and efficient USPS
22

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1 mail delivery will be essential to ensure that the voters are able to receive,
2 complete, and return their ballots in time for them to be counted.

3 20. In addition, Illinois voters mailing their ballots need to have their
4 ballots postmarked no later than election day, November 3, 2020, in order for
5 them to be counted. Ballots submitted by mail must also be received by the
6 election authority within the fourteen days after election day in order to be
7 counted.

8 **Irreparable Harm**

9 21. An efficient and reliable mail service through USPS is critical to
10 ensuring that Chicago voters choosing to vote by mail are not disenfranchised
11 because of delays in processing or delivering the mail. The anticipated increase
12 in the number of Illinois citizens voting by mail in this year's election also means
13 that an efficient and reliable mail service through USPS has never been more
14 important to ensuring that Illinois citizens can exercise their right to vote.

15 22. USPS's warnings about its inability to provide reliable services in
16 Illinois is occurring at a time when prompt mail delivery has never been more
17 essential for protecting the right to vote for Illinois citizens. Maintaining and
18 enhancing USPS capacity is an urgent priority for Illinois in light of the
19 expansion of vote by mail options Illinois has adopted in response to the COVID-
20 19 pandemic.
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1 23. However, if USPS provides inadequate postal services so close to
2 an election, significant numbers of Chicago and Illinois voters are at risk of
3 becoming disenfranchised in the upcoming election.

4 24. If mail services are impeded or delayed, voters who utilize vote by
5 mail risk not having their ballot counted. For example, the Chicago Board of
6 Elections may receive vote by mail applications late due to mail delays, which
7 will delay our ability to send voters their ballots. Even if applications are timely
8 received, voters may still receive their ballots late or else be prevented from
9 casting their ballots in a timely way if the mail is delayed or voters are otherwise
10 unable to find an alternative method to deliver their ballot to a secure collection
11 site. In fact, USPS has essentially admitted the strong probability that irreparable
12 disruptions will occur in their July 30, 2020 letter.

13 25. Further, if USPS's changes undercut public confidence in postal
14 services, voters who otherwise would have remained safely at home to vote might
15 opt to vote in person at a polling place instead, which heightens inherent risks of
16 spreading COVID-19 during a dangerous pandemic. Otherwise, voters who feel
17 that they cannot trust the postal service but have warranted concerns about
18 congregating at a polling place simply might not vote at all.

19 **I declare under penalty of perjury under the laws of the United States**
20 **that the foregoing is true and correct.**

21
22
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1
2 DATED this 19th day of August, 2020, at Chicago, Illinois.

3
4 /s/ Lance Gough
5 Lance Gough
6 Executive Director
7 Chicago Board of Election Commissioners
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DECLARATION OF LANCE GOUGH

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Gough Declaration
Exhibit A

THOMAS J. MARSHALL
GENERAL COUNSEL
AND EXECUTIVE VICE PRESIDENT



July 30, 2020

Honorable Steve Sandvoss
Executive Director
State Board of Elections
2329 S. MacArthur Boulevard
Springfield, IL 62704-4503

Dear Mr. Sandvoss:

Re: Deadlines for Mailing Ballots

With the 2020 General Election rapidly approaching, this letter follows up on my letter dated May 29, 2020, which I sent to election officials throughout the country. That letter highlighted some key aspects of the Postal Service's delivery processes. The purpose of this letter is to focus specifically on the deadlines for requesting and casting ballots by mail. In particular, we wanted to note that, under our reading of Illinois' election laws, certain deadlines for requesting and casting mail-in ballots are incongruous with the Postal Service's delivery standards. This mismatch creates a risk that ballots requested near the deadline under state law will not be returned by mail in time to be counted under your laws as we understand them.

As I stated in my May 29 letter, the two main classes of mail that are used for ballots are First-Class Mail and USPS Marketing Mail, the latter of which includes the Nonprofit postage rate. Voters must use First-Class Mail (or an expedited level of service) to mail their ballots and ballot requests, while state or local election officials may generally use either First-Class Mail or Marketing Mail to mail blank ballots to voters. While the specific transit times for either class of mail cannot be guaranteed, and depend on factors such as a given mailpiece's place of origin and destination, most domestic First-Class Mail is delivered 2-5 days after it is received by the Postal Service, and most domestic Marketing Mail is delivered 3-10 days after it is received.

To account for these delivery standards and to allow for contingencies (e.g., weather issues or unforeseen events), the Postal Service strongly recommends adhering to the following timeframe when using the mail to transmit ballots to domestic voters:

- **Ballot requests:** Where voters will both receive and send a ballot by mail, voters should submit their ballot request early enough so that it is received by their election officials at least 15 days before Election Day at a minimum, and preferably long before that time.
- **Mailing blank ballots to voters:** In responding to a ballot request, election officials should consider that the ballot needs to be in the hands of the voter so that he or she has adequate time to complete it and put it back in the mail stream so that it can be processed and delivered by the applicable deadline. Accordingly, the Postal Service recommends that election officials use First-Class Mail to transmit blank ballots and allow 1 week for delivery to voters. Using Marketing Mail will result in slower delivery times and will increase the risk that voters will not receive their ballots in time to return them by mail.

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PHONE: 202-268-5555
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THOMAS.J.MARSHALL@USPS.GOV
WWW.USPS.COM

- 2 -

- **Mailing completed ballots to election officials:** To allow enough time for ballots to be returned to election officials, domestic voters should generally mail their completed ballots at least one week before the state's due date. In states that require mail-in ballots to be *both* postmarked by Election Day *and* received by election officials by a specific date that is one week or more after Election Day, voters may generally mail their ballot up until November 3. However, voters who mail in their ballots on Election Day must be aware of the posted collection times on collection boxes and at the Postal Service's retail facilities, and that ballots entered after the last posted collection time on a given day will not be postmarked until the following business day.

Under our reading of your state's election laws, as in effect on July 27, 2020, certain state-law requirements and deadlines appear to be incompatible with the Postal Service's delivery standards and the recommended timeframe noted above. As a result, to the extent that the mail is used to transmit ballots to and from voters, there is a significant risk that, at least in certain circumstances, ballots may be requested in a manner that is consistent with your election rules and returned promptly, and yet not be returned in time to be counted.

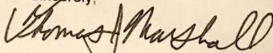
Specifically, it appears that a completed ballot must be postmarked before Election Day and received by election officials within 14 days after the election, which we understand to be the end of the period for counting provisional ballots. If that understanding is correct, voters who choose to mail their ballots may do so on or before Tuesday, November 3. However, it further appears that state law generally permits voters to apply for a ballot as late as 5 days before the November general election. If a voter submits a request at or near the ballot-request deadline, and if the ballot is transmitted to the voter by mail, there is a significant risk that the ballot will not reach the voter before Election Day, and accordingly that the voter will not be able to use the ballot to cast his or her vote. That risk is exacerbated by the fact that the law does not appear to require election officials to transmit a ballot until 2 business days after receiving a ballot application.

To be clear, the Postal Service is not purporting to definitively interpret the requirements of your state's election laws, and also is not recommending that such laws be changed to accommodate the Postal Service's delivery standards. By the same token, however, the Postal Service cannot adjust its delivery standards to accommodate the requirements of state election law. For this reason, the Postal Service asks that election officials keep the Postal Service's delivery standards and recommendations in mind when making decisions as to the appropriate means used to send a piece of Election Mail to voters, and when informing voters how to successfully participate in an election where they choose to use the mail. It is particularly important that voters be made aware of the transit times for mail (including mail-in ballots) so that they can make informed decisions about whether and when to (1) request a mail-in ballot, and (2) mail a completed ballot back to election officials.

We remain committed to sustaining the mail as a secure, efficient, and effective means to allow citizens to participate in the electoral process when election officials determine to utilize the mail as a part of their election system. Ensuring that you have an understanding of our operational capabilities and recommended timelines, and can educate voters accordingly, is important to achieving a successful election season. Please reach out to your assigned election mail coordinator to discuss the logistics of your mailings and the services that are available as well as any questions you may have. A list of election mail coordinators may be found on our website at: <https://about.usps.com/election-mail/politicelection-mail-coordinators.pdf>.

We hope the information contained in this letter is helpful, and please let me know if you have any questions or concerns.

Sincerely,



Thomas J. Marshall

Exhibit 17

1 ROBERT W. FERGUSON
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2 NOAH GUZZO PURCELL, WSBA #43492
Solicitor General
3 NATHAN K. BAYS, WSBA #43025
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CRISTINA SEPE, WSBA #53609
5 *Assistant Attorneys General*
EMMA GRUNBERG, WSBA #54659
6 TERA M. HEINTZ, WSBA #54921
(application for admission forthcoming)
7 KARL D. SMITH, WSBA #41988
Deputy Solicitors General
8 800 Fifth Avenue, Suite 2000
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10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
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22

NO. 1:20-cv-03127-SAB

DECLARATION OF
COLORADO SECRETARY OF
STATE JENA GRISWOLD IN
IN SUPPORT OF PLAINTIFF
STATES' MOTION FOR
PRELIMINARY INJUNCTION

DECLARATION OF COLORADO
SECRETARY OF STATE JENA
GRISWOLD

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
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1 I, Jena Griswold, Colorado's Secretary of State, declare as follows:

2 1. I am the 39th Colorado Secretary of State, elected by the people of
3 Colorado in 2018. I am the chief election official of the state.

4 2. The statements in this declaration are all based on my own
5 personal knowledge, including information gathered by employees of the
6 Secretary of State's office.

7 **Colorado's mail voting system is a national model**

8 3. Colorado is a national leader in mail voting. In 2013, Colorado
9 passed the Voter Access and Modernized Elections Act, 2013 Sess. Laws 681,
10 under which all registered voters are sent a mail ballot. The Colorado General
11 Assembly enacted this measure because "the people's self-government through
12 the electoral process is more legitimate and better accepted when voter
13 participation increases" and decided that "expand[ing] the use of mail ballot
14 elections" was an appropriate "means to increase voter participation." *Id.*

15 4. Since 2014, Colorado has relied on the U.S. mail system to facilitate
16 its elections. In the 2020 state primary, Colorado counties used the U.S. mail
17 system to deliver ballots to 3,306,300 voters.

18 5. Every active registered voter in Colorado receives a mail ballot
19 packet delivered through the U.S. Mail to the voter's last registered mailing
20 address. The ballots generally must be mailed between 18 and 25 days prior to
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DECLARATION OF COLORADO
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1 an election. § 1-7.5-107(3)(a), C.R.S. (Overseas military voters receive their
2 ballots earlier. § 1-8.3-110(2), C.R.S.)

3 6. Although in-person voting remains an option, Colorado voters
4 overwhelmingly choose to vote the ballot that is mailed to them. In the 2016
5 state primary, 97% of Colorado voters cast the ballot they received in the mail.
6 In the 2016 general election, 93% of Colorado voters cast their mail ballot. And
7 in the 2020 state primary, 99% of Colorado voters cast their mail ballot.

8 7. Approximately 25% of those who vote the ballot received in the mail
9 also return the ballot through the U.S. mail, while the rest return their ballots to
10 their polling places or ballot drop boxes stationed throughout the state.

11 8. The reliability and effectiveness of Colorado's mail voting system is
12 an important reason why Colorado consistently has one of the highest voter
13 turnout rates in the country.

14 **Colorado's voting system depends on a reliable and trustworthy U.S.**
15 **Postal Service**

16 9. Colorado voters, Colorado counties, and the Secretary of State's
17 office all rely heavily on the mail to receive and return ballots. Disruptions to the
18 mail service could have serious consequences to the state and its voters, in
19 several ways.

20 10. First, delays to the mail in returning ballots can disenfranchise
21 voters. Based on our review of ballots submitted during the last several election
22

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1 cycles, we ordinarily expect about 40% of all votes cast in an election to be
2 received either on election day or the day before.

3 11. Even minor delays of one or two days could result in tens of
4 thousands of votes not being counted due to no fault of the voter.

5 12. Colorado builds redundancies into its system, but these
6 redundancies only work if the U.S. mail system works in the way voters have
7 come to expect. For example, individuals can choose to vote in person rather
8 than cast their mail ballot. But, if a voter returns their ballot through the U.S.
9 mail with the reasonable expectation that it will be delivered on time, and due to
10 Postal Service delays it arrives late, that voter will have no way of knowing that
11 their mailed ballot will not be counted until it is too late for the voter to remedy
12 the issue. The system depends on the reliability of the mail.

13 13. Second, changes to Postal Service policy concerning the treatment
14 of election mail will undermine confidence in Colorado's elections. Colorado and
15 its counties, who are responsible for mailing out ballots, rely on the Postal
16 Service to prioritize election mail. The majority of Colorado's ballots are not
17 distributed as first class mail. Instead, the ballots are distributed using the
18 Postal Service's marketing mail rate. But there is a longstanding practice in
19 Colorado that the Postal Service treats all election mail, such as ballots, as first
20 class mail. My office has confirmed this practice in numerous conversations with
21 Postal Service officials.
22

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1 14. Reports suggest that the Postal Service will discontinue its historic
2 practice of prioritizing election mail in 2020. Doing so will frustrate the
3 legitimate, historically grounded expectations of state and local election officials
4 and Colorado voters.

5 15. The distribution of ballots in Colorado is heavily publicized. Once
6 voters learn that ballots have been mailed—roughly three weeks before an
7 election—those voters expect to receive their ballots in a timely fashion. We have
8 previously heard complaints from voters even when ballots are mailed out on the
9 last day of the allotted legal distribution window. Introducing any delay due to
10 an unannounced change in Postal Service policy opens the door to serious voter
11 confusion and frustration, and could erode confidence in Colorado’s election
12 system.

13 16. Colorado’s counties rely on the fact that election mail will be
14 treated as first class mail. And if the Postal Service no longer intends to treat
15 election mail this way, our counties may want to distribute their ballots as first
16 class mail. But given the timing of this year’s election, there is little the state
17 can do to prioritize election mail if the Postal Service refuses to do so. The
18 General Assembly is out of session and cannot appropriate funds to allow
19 counties to upgrade the mail to first class mail. The counties generally do not
20 have the funds to do so either. Accordingly, a change to Postal Service policy
21 may have serious impacts throughout Colorado.
22

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1 17. Third, the nationwide disruptions to the mail service will have
2 direct impacts on Colorado's elections. Colorado relies on the nationwide mail
3 system for its voters to cast their ballots. 73,747 ballots are mailed to voters with
4 addresses out of state. 9,721 of these ballots are sent to military personnel
5 stationed outside of Colorado.

6 18. Postmaster General Louis DeJoy has stated that he does not intend
7 to restore the mail sorting machines the Postal Service has removed throughout
8 the country. We have received conflicting reports about sorting machines in
9 Colorado, including reports that at least one sorting machine has been
10 disassembled and not replaced. This has created uncertainty concerning the
11 processing of election mail sent within Colorado.

12 19. The machines that have been removed elsewhere, not to mention
13 the other service changes announced by General DeJoy, will also impair the
14 ability of servicemembers and other Colorado voters residing outside of Colorado
15 to cast their ballots. Nationwide slowdowns in mail delivery can prevent these
16 voters from having their votes counted.

17 20. Although Colorado counties make dropboxes available for
18 individuals to cast their mail ballots, some individuals have no choice but to rely
19 on the mail. For one, Colorado registered voters who currently reside out of
20 state, including members of the armed forces, cannot use the dropboxes.
21 Individuals who are unable to leave their homes, including those who may be ill
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1 or quarantined due to COVID-19, also must rely on the U.S. mail to return their
2 ballots.

3 **The November 2020 ballot contains numerous measures of statewide**
4 **concern**

5 21. Individual voters in Colorado receive different ballots depending on
6 the county in which they live. But the November 2020 ballots that will be
7 distributed in Colorado will include many issues of statewide concern.

8 22. The November 2020 ballot contains eleven measures presented to
9 voters that will impact the State of Colorado moving forward. Colorado voters
10 will decide: whether to join the national popular vote compact; whether to
11 establish a paid family and medical leave program; whether to lower income
12 taxes; whether to put an abortion ban in place; whether to introduce gray wolves
13 to the state; whether to increase nicotine and tobacco taxes; whether to require
14 that all registered voters must be U.S. citizens; whether to require voter
15 approval before new state enterprises can be formed; whether to alter the state
16 constitution concerning charitable gaming; whether to allow changes to current
17 gambling restrictions in the state; and whether to change the means by which
18 property taxes are assessed in the state. Colorado voters will also be selecting
19 one of the state's two senators to the United States Congress, and casting their
20 vote for President and Vice-President of the United States.

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1 23. Colorado is relying on an effective U.S. mail system to facilitate the
2 election of these matters of statewide concern.

3 24. Colorado's election system is a model for the rest of the country.
4 Since 2014 it has been overseen by both Democratic and Republican Secretaries
5 of State, and has facilitated record turnout in state, local, and federal elections.

6 25. Transformative changes to the Postal Service—made months before
7 the November 2020 election and without opportunity for public comment—have
8 the potential to disrupt this model system on which Colorado, its counties, and
9 its voters have come to rely.

10
11 *[Remainder of this page intentionally left blank]*
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I declare under penalty of perjury that the foregoing is true and correct.

DATED this 8th day of September, 2020, at Cortez, Colorado.


JENA GRISWOLD
Colorado Secretary of State

DECLARATION OF
COLORADO SECRETARY OF
STATE JENA GRISWOLD

ATTORNEY GENERAL OF WASHINGTON
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Exhibit 18

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5 *Assistant Attorneys General*
EMMA GRUNBERG, WSBA #54659
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(application for admission forthcoming)
7 KARL D. SMITH, WSBA #41988
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10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.

NO. 1:20-cv-03127-SAB

DECLARATION OF
SAMANTHA HARTWIG IN
SUPPORT OF PLAINTIFF
STATES' MOTION FOR
PRELIMINARY INJUNCTION

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DECLARATION OF
SAMANTHA HARTWIG

1

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
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1 I, Samantha Hartwig, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. I am a resident of Coon Rapids, Minnesota. I am currently serving as
5 the President of Branch 9 of the National Association of Letter Carriers. The
6 National Association of Letter Carriers represents letter carriers employed by the
7 United States Postal Service (USPS).

8 3. The USPS will occasionally implement "directives" that control how
9 the business of the USPS is conducted. These directives are issued from the
10 highest levels of the USPS organization, including the Postmaster.

11 4. Recently, the USPS has initiated a directive that requires letter carriers
12 to leave their facility to deliver mail within an hour of their shift start time. This
13 limits the letter carrier's time in the post office to one hour.

14 5. Each day, USPS mail clerks sort the mail that is to be delivered by the
15 letter carriers. It has been the practice of the USPS to deliver every piece of mail
16 that was at the facility every day. This would occasionally entail letter carriers
17 waiting until the clerks finished sorting the mail before loading their trucks and
18 leaving to deliver the mail.

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2

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1 6. The one-hour directive has resulted in letter carriers leaving their
2 facility before all of the mail is sorted, resulting in mail being left to be sorted or
3 re-sorted and delivered the following day.

4 7. The primary impact of this is that priority-mail packages are being left
5 for the next day and being delivered later than they would otherwise.

6 8. Priority mail packages can include anything from medications to
7 birthday presents. In my experience medication delivery is time sensitive because
8 providers will not fill prescriptions too far in advance.

9 9. These delays are particularly concerning for letter carriers because
10 they are the front-line workers interacting with the public on a regular basis.

11 10. Additionally, the summer is typically the time of the year with the
12 lowest mail volume. The fact that priority mail is being delayed now raises
13 significant concerns that additional delays will occur when the mail volume
14 increases over the fall.

15 11. More delays in the fall are likely to impact not just priority but also
16 first-class mail. First-class mail includes the general letters and correspondence
17 that make up the bulk of what USPS delivers. First-class mail includes things such
18 as census forms, driver's licenses, vehicle tabs, or anything else sent in normal

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SAMANTHA HARTWIG

3

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1 letter form through the USPS. Election mail is sorted in the same manner as first-
2 class mail.

3 I declare under penalty of perjury under the laws of the States of Washington
4 and Minnesota and the United States of America that the foregoing is true and
5 correct.

6 Dated: August 18, 2020
7


SAMANTHA HARTWIG

DECLARATION OF
SAMANTHA HARTWIG

4

ATTORNEY GENERAL OF WASHINGTON
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Exhibit 19

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KRISTIN BENESKI, WSBA #45478
4 ANDREW R.W. HUGHES, WSBA #49515
CRISTINA SEPE, WSBA #53609
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10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
18
19
20
21
22

NO. 1:20-cv-03127-SAB

DECLARATION OF STUART
HARVEY IN SUPPORT OF
PLAINTIFF STATES' MOTION
FOR PRELIMINARY
INJUNCTION

DECLARATION OF STUART
HARVEY

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, Stuart Harvey, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. I am the Election Director of Frederick County, Maryland. I have
5 over 30 years of experience in elections, and have been the Election Director in
6 Frederick County since July 2002.

7 3. In my role as Election Director I am responsible for conducting
8 local, state and federal elections in the county, as well as maintaining the county's
9 voter registration file and hiring and training the county's 900 election judges.

10 4. I am aware that the Postmaster General of the United States has made
11 policy changes that have affected postal service, and I am further aware that the
12 State of Maryland and other states have filed this lawsuit challenging those policy
13 changes.

14 5. Over the past month, I have received dozens of emails from voters
15 expressing their concerns about the USPS and whether they'll be willing and able
16 to deliver their ballots on time. Many voters who previously requested their
17 general election ballots to be delivered by mail have now changed their minds
18 and asked that the ballots be sent by email instead. There have also been
19 numerous inquiries from voters about delivering ballots safely to our office, using
20 means other than the USPS, such as a ballot drop box.
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DECLARATION OF STUART
HARVEY

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
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(206) 464-7744

1 6. When a voter requests a ballot by email, the voter must print out the
2 ballot, then mark it, then mail it back to the elections office or drop it off in person
3 or at a secure drop-box. Because they are printed at home, those ballots cannot
4 be read by tabulating machines; therefore, the local boards of election have to
5 manually copy each web delivered ballot onto a blank standard ballot. In a
6 general election there are ballot questions and, often, write-in votes that increase
7 the amount of time it takes to manually copy the ballots—it takes at least 5 to 10
8 minutes per ballot. The increased number of email-delivered ballots due to USPS
9 performance problems will substantially increase the amount of time needed to
10 canvass the general election ballots.

11 7. Canvassing this year's general election will be uniquely difficult. In
12 addition to the increased number of email-delivered ballots, there are other
13 challenges: the unprecedented increase in the volume of mail-in ballots,
14 limitations on staff size due to COVID-19 distancing restrictions, and expected
15 absences due to COVID-19.

16 8. USPS delays will cause a much longer ballot canvass before and
17 after the election, the hiring of additional temporary employees to complete the
18 canvass in a timely manner, and possible delays in certifying the election results.
19 It might also cause a significant number of mail-in ballots to fail to reach our office
20 in time to be counted in the general election.

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DECLARATION OF STUART
HARVEY

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
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Exhibit 20

1 ROBERT W. FERGUSON
Attorney General
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Solicitor General
3 NATHAN K. BAYS, WSBA #43025
KRISTIN BENESKI, WSBA #45478
4 ANDREW R.W. HUGHES, WSBA #49515
CRISTINA SEPE, WSBA #53609
5 *Assistant Attorneys General*
EMMA GRUNBERG, WSBA #54659
6 TERA M. HEINTZ, WSBA #54921
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10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

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NO. 1:20-cv-03127-SAB

DECLARATION OF TIMOTHY
HERMES IN SUPPORT OF
PLAINTIFF STATES' MOTION
FOR PRELIMINARY
INJUNCTION

DECLARATION OF
TIMOTHY HERMES

1

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, Timothy Hermes, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. I am a resident of Minneapolis, Minnesota. I am seventy years old
5 and have been retired for approximately five years.

6 3. I served in the United State Army in Vietnam from 1969-70. In 1970
7 I was awarded the Purple Heart and honorably discharged from the Army. During
8 my time in Vietnam I held the rank of Specialist E4, and had served as a tank
9 crewman as well as tank commander. I received my purple heart from an incident
10 where I was injured when my tank was hit by a rocket-propelled grenade.

11 4. I have been receiving medical care from the Department of Veterans
12 Affairs since February 2016. I currently suffer from hearing problems, ischemic
13 heart disease, anxiety, and hypertension. I am on medications for these conditions.

14 5. For nearly five years I have received my medications delivered to my
15 home via the United States Postal Service (USPS). My medications have always
16 arrived on time, until August 2020.

17 6. On July 29, I renewed my prescription for venlafaxine, which is used
18 to treat my anxiety. The VA confirmed that the medication had been filled and
19 delivered to the USPS. The tracking information indicates that my medication was
20 shipped on July 30, and arrived at the Minneapolis Distribution Center on

DECLARATION OF
TIMOTHY HERMES

2

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
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1 August 1.

2 7. The tracking information shows that my venlafaxine was “out for
3 delivery” on August 2, but did not depart the Minneapolis Distribution Center until
4 August 6. It arrived at the post office on August 7 and was delivered at 11:18 a.m.
5 on August 7. Each day from August 2 through August 7 the status of my
6 prescription was “out for delivery” with the arrival times continually changing.

7 8. I ran out of my venlafaxine and began to feel lethargic, slow, and
8 removed from reality. I felt as though I were in a bubble, or there was a film
9 between me and the rest of the world.

10 9. My wife and I are typically active. We recently remodeled our home
11 and we enjoy travelling and bird watching. After I ran out of my medication my
12 lethargy was so pronounced that my wife became concerned for my health. I also
13 began having nightmares. Because my symptoms were so uncomfortable, and I
14 did not know when my medication would be delivered, I went to the VA and
15 picked up an alternative prescription on August 5.

16 10. Outside of this trip to the VA and other medical appointments I leave
17 my home as little as possible because of the COVID-19 pandemic. If my
18 medication had been delivered on time I would not have had to make this
19 additional trip or experienced the adverse consequences of abruptly going off my
20 medication.

DECLARATION OF
TIMOTHY HERMES

3

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1 11. The prescription finally arrived in the mail on Friday. Until this
2 incident my prescriptions had never been late when delivered by the USPS.

3 12. I feel fortunate that I live close enough to a VA facility that we were
4 able to get my prescription refilled in person. I am concerned that my medications
5 will not be delivered on time in the future. I am also concerned for people who
6 cannot drive or who do not live near a VA facility at which they can get their
7 medications if they are not delivered on time.

8 I declare under penalty of perjury under the laws of the States of Washington
9 and Minnesota and the United States of America that the foregoing is true and
10 correct.

11 Dated: August 18, 2020


TIMOTHY HERMES

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DECLARATION OF
TIMOTHY HERMES

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ATTORNEY GENERAL OF WASHINGTON
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Exhibit 21

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4 ANDREW R.W. HUGHES, WSBA #49515
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10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

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NO. 1:20-cv-03127-SAB

DECLARATION OF DANIEL
HUFF IN SUPPORT OF
PLAINTIFF STATES' MOTION
FOR PRELIMINARY
INJUNCTION

DECLARATION OF
DANIEL HUFF

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, Daniel Huff, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. I am currently the Assistant Commissioner for Health Protection at the
5 Minnesota Department of Health (MDH).

6 3. The MDH Public Health Laboratory (PHL) receives drinking water
7 samples for various analytical testing from water treatment systems located
8 throughout the entire state of Minnesota that supply drinking water to the public.

9 4. The United States Environmental Protection Agency (US EPA) Safe
10 Drinking Water Act (SDWA) governs many of these analyses. These samples are
11 for regulatory compliance testing and have requirements for their acceptance upon
12 receipt, including regulated holding times from sample collection to sample
13 delivery and the onset of testing. Some of these samples include method-specific
14 regulated temperature requirements from sample collection to sample receipt.
15 Delays in delivery of samples to the PHL can affect the acceptability of the
16 samples based on the requirements in the Public Health Laboratory's certification
17 from the US EPA.

18 5. Employees at the PHL have recently observed delays in parcels
19 delivered to the PHL from drinking water treatment systems around the state that

DECLARATION OF
DANIEL HUFF

2

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
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1 choose to use the United States Postal Service (USPS) as the primary means of
2 shipping samples.

3 6. In some instances, where we would expect a one- to two-day delivery,
4 we are now observing three-, five- and even seven-day delivery on parcels
5 delivered to the PHL. These occurrences do not seem to be coming from any
6 particular region or any particular partner.

7 7. Such delays have forced the samples to be invalid for analysis due to
8 exceedances of sample holding times and/or temperature requirements that are out
9 of the required range. In these cases, the PHL must notify the Minnesota
10 Department of Health, Drinking Water Protection Section (DWP), which manages
11 the states drinking water compliance programs. PHL must also cancel or qualify
12 the analysis which in some cases renders the data invalid for regulatory compliance
13 purposes.

14 8. In cases when samples are canceled, a request for another sample
15 collection kit is issued from DWP, incurring additional costs. PHL will then
16 assemble the sample collection kit and send it to the drinking water system to re-
17 collect the sample.

18 9. PHL is responsible for the cost and shipment of the sample collection
19 replacement kit to the drinking water system.

DECLARATION OF
DANIEL HUFF

3

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
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1 10. The drinking water system is responsible for incurring the additional
2 costs for sample collection, sample transportation and successful submission to the
3 PHL.

4 11. From July 1, 2019 through August 31, the PHL noted 9 samples
5 canceled due to a delay of 3 days or more for samples delivered by USPS. From
6 July 1, 2020 through August 31, we saw an increased number of 36 samples
7 canceled due to a USPS delivery delay of 3 days or more.

8 I declare under penalty of perjury under the laws of the States of Washington
9 and Minnesota and the United States of America that the foregoing is true and
10 correct.

11 Dated: September ___, 2020

Daniel Huff Digitally signed by Daniel Huff
Date: 2020.09.04 09:42:52 -05'00'

DANIEL HUFF

DECLARATION OF
DANIEL HUFF

4

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
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Exhibit 22

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11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
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NO. 1:20-cv-03127-SAB

DECLARATION OF JOAN
LEVY IN SUPPORT OF
PLAINTIFF STATES' MOTION
FOR PRELIMINARY
INJUNCTION

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

DECLARATION OF JOAN LEVY

I, Joan Levy, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am the president of the Greater Connecticut Area Local No. 237 of the American Postal Workers Union (APWU).
2. Nationwide, APWU fights for dignity and respect on the job for more than 200,000 United States Postal Service (USPS) employees and retirees. The Connecticut local has 1,200 members spread over 200 post offices statewide. Our members are clerks, maintenance staff, or work in USPS' Motor Vehicle Service (MVS) or Vehicle Maintenance Facilities.
3. I have compiled the information in this declaration through personal knowledge and through review of documents and information provided to me by union members and officers statewide and nationally. I am in regular contact with members of my local across the state and with the presidents of Connecticut's three other APWU locals, which are based in Hartford, Stamford, and Danbury. In addition, I have personally visited 50 post offices statewide in just the last few months.
4. I also have significant personal knowledge of the workings of the USPS in Connecticut from my 28-year career as a clerk. I retired from the USPS in 2018.
5. From the time I began working at the USPS in 1979 and until just a few months ago, my colleagues and I were guided by a core directive: "Every piece, every day." We understood ourselves to be responsible for ensuring that all mail received in each post office, every day, was sorted and delivered. In every Connecticut post office I am familiar with this directive was taken seriously.

6. Unfortunately, since approximately July, that core directive no longer seems to govern the operations of the USPS in Connecticut. In my experience as a clerk and as local president, I have never seen the kinds of sorting and delivery delays and mail backlogs that are now routine in post offices across Connecticut. It is now no longer unusual for mail to be left, unsorted, in post offices. I am familiar with the now-routine delays in the state's post offices and processing facilities from my own observations and from reports from union members.

7. I also have direct experience with these delays. For example, my union office, located in North Haven, Connecticut, sends out biweekly paychecks to employees and contractors. The checks travel by First-Class Mail from North Haven to a USPS processing center in Hartford. They then travel to their destination post offices, often in towns in the same small geographic region. For years, those checks used to take, at most, two days to reach their in-state recipients. Now they take a full week to travel just a few miles across one of the nation's smallest and most compact states.

8. In June, the USPS administration began removing key mail processing and sorting equipment from facilities in Connecticut. I received a document from the APWU National Union that states that the USPS intends to remove 671 pieces of processing equipment by the end of September. A true and correct copy of the document I received is attached as Exhibit A.

9. Last week, I visited the mail processing center in Wallingford, Connecticut. I saw two mail processing machines known as Delivery Bar Code Sorter machines taken out of service. They were disassembled but still located on the work floor. I also heard from the APWU Hartford Local President that four mail processing machines were taken

out of service at the Hartford processing center. Those machines were disassembled and moved outside to a parking lot.

10. Based on my experience as a clerk, some of the machines being removed from Connecticut are capable of sorting upwards of 30,000 pieces of mail every hour. When they are working, the machines do the critical work of sorting mail not just by destination post office but also by letter carrier route and by address within the route. This automation means that mail arrives at its destination post office already sorted and ready for delivery. When the machines are removed, mail arrives at its destination post office still unsorted. Postal staff must fill in the gaps by hand-sorting mail. Clerks must spend time sorting the mail by letter carrier route, and the letter carriers must then sort the mail by address within the route.

11. Earlier this year, the Postmaster General issued directives to change certain mail processing policies. These new directives have caused many offices in Connecticut to dramatically curtail the use of overtime. In my experience, even in optimal circumstances – with all machines online, and at full staffing – USPS has used overtime to ensure that staff have the time to deliver every piece, every day even during periods of peak demand like the holiday season. But eliminating overtime during the COVID-19 crisis, while also removing processing machines, has increased the burden on postal workers.

12. COVID-19 has increased demand for the postal service while decreasing the supply of postal workers. As president of the local, I know from reports from the labor relations manager that many APWU members in Connecticut have fallen ill with COVID-19. Many others are unable to work because of their obligations to take care of out-of-school children or other relatives. In the offices that have curtailed overtime, this means fewer

staffing hours to do more work. As a result, I have seen that mail backs up and goes unsorted and undelivered.

13. Since the Postmaster General announced that he was postponing some of the policy changes, I have heard that some offices in Connecticut continue to curtail use of overtime.

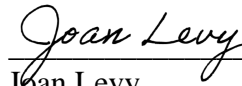
14. Delays due to curtailed overtime are exacerbated by new service changes that require trucks carrying mail for destination post offices to leave processing facilities at strictly fixed times, even if mail for those destinations remains unsorted and not yet loaded on the trucks. That mail, left behind, piles up in processing centers. That unsorted mail, too, cannot be delivered that day. The result, predictably, are even greater backlogs and delays. I am not aware of whether these service changes have been revoked since the Postmaster General's announcement about postponing policy changes.

15. These routine delays are deeply concerning at any time of year. Connecticut residents and businesses alike rely on USPS for medicine, checks, legal documents, and other critically important mail.

16. For as long as I have worked at USPS and as a union official, it has been USPS practice in Connecticut to afford special priority to election mail. When I was a clerk, management made clear to postal workers that it was our responsibility to bend over backwards to timely deliver ballots. I took pride in playing an important role in ensuring the right of Connecticut residents to vote. I am not aware of any plans for election mail in place since the Postmaster General stated that election mail will be afforded priority status.

17. In the past, USPS has taken steps to prepare for predictable increases in mail volume. Around the holiday season, for instance, USPS has typically hired temporary workers and increased overtime availability to ensure that postal workers are able to deliver on time. I am not aware of any steps that USPS in Connecticut has taken to prepare for increased mail volume around the November election season.

Executed this 8th day of September, 2020 at North Haven, CT.

A handwritten signature in cursive script that reads "Joan Levy". The signature is written in black ink and is positioned above a horizontal line.

Joan Levy
President, Greater Connecticut Area Local
American Postal Workers Union

Levy Declaration
Exhibit A



June 17, 2020

Mr. Mark Dimondstein
President
American Postal Workers Union, AFL-CIO
1300 L Street, NW
Washington, DC 20005-4128

Certified Mail Tracking Number:

Dear Mark:

As a result in the reduction in letter and flat mail volume, the Postal Service is planning to reduce the number of Advanced Facer Canceler Systems (AFCS), Delivery Bar Code Sorters (DBCS), Automated Flat Sorting Machine 100s (AFSM100), and Flat Sequencing Systems (FSS) in its mail processing facilities.

The subject reduction is anticipated to take place over the next several months.

Enclosed on compact disc is an excel spreadsheet listing the anticipated equipment reductions and the tentative schedule.

Please identify a point of contact for your organization and the Postal Service will provide updates regarding this initiative if/when the information changes.

If there are any questions, please contact Shannon Richardson at extension 5842.

Sincerely,

A handwritten signature in black ink, appearing to read "Rickey R. Dean", written over a horizontal line.

Rickey R. Dean
Manager
Contract Administration (APWU)

Enclosure

(CA2020-232)

AFCS Area Summary

Area Name	6/13 - 6/19	6/20 - 6/26	6/27 - 7/3	Total Q3	7/4 - 7/10	7/11 - 7/17	7/18 - 7/24	7/25 - 7/31	8/1 - 9/30	Total Q4	FY21 - Q1	Total Reduction
Capital M	6	0	0	6	0	2	2	0	0	4	0	10
Eastern	4	1	1	6	3	2	2	3	0	10	0	16
Great Lak	5	2	1	8	0	0	1	1	0	2	0	10
Northeast	3	4	3	10	2	2	0	1	0	5	0	15
Pacific	1	1	5	7	0	1	1	0	0	2	1	10
Southern	7	6	4	17	0	3	1	0	0	4	0	21
Western	0	2	2	4	0	0	1	0	0	1	0	5
National T	26	16	16	58	5	10	8	5	0	28	1	87

AFSM Area Summary

Area Name	6/13 - 6/19	6/20 - 6/26	6/27 - 7/3	Total Q3	7/4 - 7/10	7/11 - 7/17	7/18 - 7/24	7/25 - 7/31	8/1 - 9/30	Total Q4	FY21 - Q1	Total Reduction
Capital M	2	0	0	2	0	0	0	2	0	2	0	4
Eastern	1	3	0	4	3	1	0	2	0	6	0	10
Great Lak	2	1	0	3	0	0	1	0	4	5	0	8
Northeast	3	2	0	5	0	1	2	1	0	4	0	9
Pacific	0	2	2	4	0	0	0	0	0	0	4	8
Southern	4	4	3	11	0	0	0	1	0	1	0	12
Western	1	1	0	2	0	1	0	1	0	2	0	4
National	13	13	5	31	3	3	3	7	4	20	4	55

DBCS Area Summary

Area Name	6/13 - 6/19	6/20 - 6/26	6/27 - 7/3	Total Q3	7/4 - 7/10	7/11 - 7/17	7/18 - 7/24	7/25 - 7/31	8/1 - 9/30	Total Q4	FY21 - Q1	Total Reduction
Capital M	16	14	0	30	0	0	0	0	0	0	0	30
Eastern	26	18	1	45	19	4	17	24	0	64	0	109

Great Lak	17	6	4	27	2	8	3	6	16	35	0	62
Northeast	15	7	6	28	0	25	6	8	0	39	0	67
Pacific	20	11	1	32	0	0	0	6	7	13	9	54
Southern	33	21	21	75	1	19	14	11	4	49	0	124
Western	7	7	23	37	2	4	5	8	0	19	0	56
National	134	84	56	274	24	60	45	63	27	219	9	502

FSS Area Summary												
Area Name	6/13 - 6/19	6/20 - 6/26	6/27 - 7/3	Total Q3	7/4 - 7/10	7/11 - 7/17	7/18 - 7/24	7/25 - 7/31	8/1 - 9/30	Total Q4	FY 21 - Q1	Total Reduction
Capital M	0	0	0	0	0	4	0	0	0	4	0	4
Eastern	0	0	0	0	0	0	0	0	0	0	0	0
Great Lak	2	1	0	3	0	0	0	0	2	2	0	5
Northeast	1	1	0	2	0	1	1	1	0	3	0	5
Pacific	0	0	0	0	0	2	0	0	0	2	6	8
Southern	0	1	0	1	0	1	0	1	0	2	0	3
Western	2	0	0	2	0	0	0	0	0	0	0	2
National	5	3	0	8	0	8	1	2	2	13	6	27

Note: The actual equipment reduction counts update weekly

AREA NAME	DISTRICT NAME	SITE NAME	FY20 Q3 Plan				FY20 Q4 Plan							
			6/13 - 6/19	6/20 - 6/26	6/27 - 7/3	Total Q3	7/4 - 7/10	7/11 - 7/17	7/18 - 7/24	7/25 - 7/31	8/1 - 9/30	Total Q4	FY21 - Q1	Total Reduction
Capital Metro	Atlanta	North Metro GA P&DC	2	0	0	2	0	0	0	0	0	0	0	2
Capital Metro	Baltimore	Baltimore MD P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Baltimore	Eastern Shore MD P&DF	0	0	0	0	0	0	1	0	0	1	0	1
Capital Metro	Capital	Suburban MD P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Greater South Carolina	Charleston SC P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Greater South Carolina	Columbia SC P&DC	0	0	0	0	0	0	1	0	0	1	0	1
Capital Metro	Greater South Carolina	Greenville SC P&DC	0	0	0	0	0	1	0	0	0	1	0	1
Capital Metro	Greensboro	Greensboro NC P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Capital Metro	Greensboro	Raleigh NC P&DC	1	0	0	1	0	1	0	0	0	1	0	2
Capital Metro	Mid-Carolinas	Charlotte NC P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Capital Metro	Northern Virginia	Merrifield VA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Richmond	Richmond VA P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Eastern	Appalachian	Charleston WV P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Eastern	Central Pennsylvania	Harrisburg PA P&DC	0	0	0	0	0	1	0	0	0	1	0	1
Eastern	Central Pennsylvania	Lehigh Valley PA P&DF	0	0	0	0	0	0	1	0	0	1	0	1
Eastern	Kentuckiana	Evansville IN P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Kentuckiana	Lexington KY P&DC	0	0	0	0	0	0	1	0	0	1	0	1
Eastern	Kentuckiana	Louisville KY P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Northern Ohio	Cleveland OH P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Eastern	Ohio Valley	Cincinnati OH P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Ohio Valley	Columbus OH P&DC	0	0	0	0	0	0	0	1	0	1	0	1
Eastern	Philadelphia Metro	Philadelphia PA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	South Jersey	Delaware P&DC	0	0	0	0	1	0	0	0	0	1	0	1
Eastern	South Jersey	South Jersey P&DC	0	1	0	1	0	0	0	0	0	0	0	1
Eastern	South Jersey	Trenton NJ P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Tennessee	Chattanooga TN P&DC	0	0	1	1	0	1	0	0	0	1	0	2
Eastern	Tennessee	Knoxville TN P&DC	0	0	0	0	0	0	0	1	0	1	0	1
Eastern	Tennessee	Memphis TN P&DC	0	0	0	0	1	0	0	0	0	1	0	1
Eastern	Tennessee	Nashville TN P&DC	2	0	0	2	0	0	0	0	0	0	0	2
Eastern	Western New York	Buffalo NY P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Western New York	Rochester NY P&DC	0	0	0	0	1	0	0	0	0	1	0	1
Eastern	Western Pennsylvania	Johnstown PA P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Western Pennsylvania	Pittsburgh PA P&DC	0	0	0	0	0	0	0	1	0	1	0	1
Great Lakes	Central Illinois	Carol Stream IL P&DC	0	1	0	1	0	0	0	0	0	0	0	1
Great Lakes	Central Illinois	Peoria IL P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Central Illinois	South Suburban IL P&DC	0	0	1	1	0	0	0	0	0	0	0	1
Great Lakes	Detroit	Michigan Metroplex P&DC	2	0	0	2	0	0	0	0	0	0	0	2
Great Lakes	Gateway	Champaign IL P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Gateway	Mid Missouri MO P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Gateway	Saint Louis MO P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Great Lakes	Gateway	Springfield IL P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Greater Indiana	Fort Wayne IN P&DC	0	0	0	0	0	0	1	0	0	1	0	1
Great Lakes	Greater Indiana	Indianapolis IN P&DC	0	1	0	1	0	0	0	0	0	0	0	1
Great Lakes	Greater Michigan	Grand Rapids MI P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Greater Michigan	Iron Mountain MI P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Greater Michigan	Traverse City MI P&DF	1	0	0	1	0	0	0	0	0	0	0	1
Great Lakes	Lakeland	Green Bay WI P&DC	0	0	0	0	0	0	0	0	0	0	0	0

AREA NAME	DISTRICT NAME	SITE NAME	FY20 Q3 Plan				FY20 Q4 Plan							
			6/13 - 6/19	6/20 - 6/26	6/27 - 7/3	Total Q3	7/4 - 7/10	7/11 - 7/17	7/18 - 7/24	7/25 - 7/31	8/1 - 9/30	Total Q4	FY21 - Q1	Total Reduction
Great Lakes	Lakeland	Milwaukee WI P&DC	1	0	0	1	0	0	0	1	0	1	0	2
Northeast	Albany	Albany NY P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Northeast	Albany	Syracuse NY P&DC	0	1	0	1	0	0	0	0	0	0	0	1
Northeast	Caribbean	San Juan PR P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Northeast	Connecticut Valley	Hartford CT P&DC	0	0	1	1	0	0	0	0	0	0	0	1
Northeast	Greater Boston	Boston MA P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Northeast	Greater Boston	Brockton MA P&DC	0	1	0	1	0	0	0	0	0	0	0	1
Northeast	Greater Boston	Providence RI P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Northeast	Long Island	Mid Island NY P&DC	0	0	0	0	0	1	0	0	0	1	0	1
Northeast	New York	Morgan NY P&DC	0	0	0	0	2	0	0	0	0	2	0	2
Northeast	Northern New England	Burlington VT P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Northeast	Northern New England	Eastern Maine P&DF	0	1	0	1	0	0	0	0	0	0	0	1
Northeast	Northern New England	Manchester NH	0	0	1	1	0	0	0	0	0	0	0	1
Northeast	Northern New England	Southern Maine P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Northeast	Northern New England	White River Junction VT P&DC	0	0	1	1	0	0	0	0	0	0	0	1
Northeast	Northern New Jersey	DVD NJ P&DC	0	0	0	0	0	1	0	1	0	2	0	2
Northeast	Westchester	Westchester NY P&DC	0	1	0	1	0	0	0	0	0	0	0	1
Pacific	Bay-Valley	Oakland CA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Pacific	Bay-Valley	San Jose CA P&DC	1	0	0	1	0	0	0	0	0	0	1	2
Pacific	Honolulu	Honolulu HI P&DC	0	0	1	1	0	0	0	0	0	0	0	1
Pacific	Los Angeles	Los Angeles CA P&DC	0	0	2	2	0	0	0	0	0	0	0	2
Pacific	Sacramento	Fresno CA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Pacific	Sacramento	Sacramento CA P&DC	0	1	0	1	0	0	0	0	0	0	0	1
Pacific	San Diego	ML Sellers CA P&DC	0	0	0	0	0	0	1	0	0	1	0	1
Pacific	San Diego	San Bernardino CA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Pacific	San Francisco	Eureka CA	0	0	0	0	0	0	0	0	0	0	0	0
Pacific	San Francisco	San Francisco CA P&DC	0	0	2	2	0	0	0	0	0	0	0	2
Pacific	Santa Ana	Santa Ana CA P&DC	0	0	0	0	0	1	0	0	0	1	0	1
Pacific	Sierra Coastal	Santa Barbara CA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Pacific	Sierra Coastal	Santa Clarita CA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Alabama	Birmingham AL P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Southern	Alabama	Mobile AL P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Alabama	Montgomery AL P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Southern	Arkansas	Little Rock AR P&DC	0	0	0	0	0	0	1	0	0	1	0	1
Southern	Arkansas	Northwest Arkansas	1	0	0	1	0	0	0	0	0	0	0	1
Southern	Dallas	North Texas TX P&DC	0	0	1	1	0	0	0	0	0	0	0	1
Southern	Fort Worth	Abilene TX P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Fort Worth	Amarillo TX P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Fort Worth	Lubbock TX P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Gulf Atlantic	Augusta GA P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Gulf Atlantic	Jacksonville FL P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Southern	Gulf Atlantic	Macon GA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Gulf Atlantic	Pensacola FL P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Gulf Atlantic	Tallahassee FL P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Houston	North Houston TX P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Louisiana	Baton Rouge LA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Louisiana	New Orleans LA P&DC	0	1	0	1	0	0	0	0	0	0	0	1

AREA NAME	DISTRICT NAME	SITE NAME	FY20 Q3 Plan				FY20 Q4 Plan							Total Reduction
			6/13 - 6/19	6/20 - 6/26	6/27 - 7/3	Total Q3	7/4 - 7/10	7/11 - 7/17	7/18 - 7/24	7/25 - 7/31	8/1 - 9/30	Total Q4	FY21 - Q1	
Southern	Louisiana	Shreveport LA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Mississippi	Gulfport MS P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Southern	Mississippi	Jackson MS P&DC	0	1	0	1	0	0	0	0	0	0	0	1
Southern	Oklahoma	Oklahoma City OK P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Oklahoma	Tulsa OK P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Rio Grande	Austin TX P&DC	0	0	1	1	0	0	0	0	0	0	0	1
Southern	Rio Grande	Corpus Christi TX P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Rio Grande	El Paso TX P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Rio Grande	McAllen TX	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Rio Grande	Midland TX P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Rio Grande	San Antonio TX P&DC	0	1	0	1	0	0	0	0	0	0	0	1
Southern	South Florida	Miami FL P&DC	0	0	0	0	0	1	0	0	0	1	0	1
Southern	South Florida	West Palm Beach FL P&DC	0	1	0	1	0	0	0	0	0	0	0	1
Southern	Suncoast	Fort Myers FL P&DC	0	1	0	1	0	0	0	0	0	0	0	1
Southern	Suncoast	Orlando FL P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Southern	Suncoast	Tampa FL P&DC	0	0	1	1	0	1	0	0	0	1	0	2
Western	Alaska	Anchorage AK P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Arizona	Albuquerque NM P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Arizona	Phoenix AZ P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Central Plains	North Platte NE	0	0	0	0	0	0	0	0	0	0	0	0
Western	Central Plains	Omaha NE P&DC	0	0	0	0	0	0	1	0	0	1	0	1
Western	Central Plains	Wichita KS P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Colorado/Wyoming	Casper WY PO	0	0	0	0	0	0	0	0	0	0	0	0
Western	Colorado/Wyoming	Cheyenne WY P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Colorado/Wyoming	Denver CO P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Colorado/Wyoming	Grand Junction CO	0	0	0	0	0	0	0	0	0	0	0	0
Western	Dakotas	Billings MT P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Dakotas	Bismarck ND	0	0	0	0	0	0	0	0	0	0	0	0
Western	Dakotas	Dakota Central SD P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Dakotas	Fargo ND P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Dakotas	Grand Forks ND	0	0	0	0	0	0	0	0	0	0	0	0
Western	Dakotas	Great Falls MT	0	0	0	0	0	0	0	0	0	0	0	0
Western	Dakotas	Missoula MT	0	0	0	0	0	0	0	0	0	0	0	0
Western	Dakotas	Rapid City SD P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Western	Dakotas	Sioux Falls SD	0	1	0	1	0	0	0	0	0	0	0	1
Western	Hawkeye	Cedar Rapids IA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Hawkeye	Des Moines IA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Hawkeye	Quad Cities IL P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Western	Hawkeye	Waterloo Plant IA	0	0	0	0	0	0	0	0	0	0	0	0
Western	Mid-America	Kansas City MO P&DC	0	1	0	1	0	0	0	0	0	0	0	1
Western	Mid-America	Springfield MO	0	0	0	0	0	0	0	0	0	0	0	0
Western	Nevada-Sierra	Las Vegas NV P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Nevada-Sierra	Reno NV P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Northland	Minneapolis MN P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Northland	Saint Paul MN P&DC - New	0	0	0	0	0	0	0	0	0	0	0	0
Western	Portland	Eugene OR P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Western	Portland	Medford OR	0	0	0	0	0	0	0	0	0	0	0	0
Western	Portland	Portland OR P&DC	0	0	1	1	0	0	0	0	0	0	0	1

AREA NAME	DISTRICT NAME	SITE NAME	FY20 Q3 Plan				FY20 Q4 Plan							
			6/13 - 6/19	6/20 - 6/26	6/27 - 7/3	Total Q3	7/4 - 7/10	7/11 - 7/17	7/18 - 7/24	7/25 - 7/31	8/1 - 9/30	Total Q4	FY21 - Q1	Total Reduction
Western	Salt Lake City	Boise ID	0	0	0	0	0	0	0	0	0	0	0	0
Western	Salt Lake City	Provo UT	0	0	0	0	0	0	0	0	0	0	0	0
Western	Salt Lake City	Salt Lake City UT P&D	0	0	0	0	0	0	0	0	0	0	0	0
Western	Seattle	Seattle WA P&DC	0	0	1	1	0	0	0	0	0	0	0	1
Western	Seattle	Spokane WA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Seattle	Tacoma WA P&DC	0	0	0	0	0	0	0	0	0	0	0	0

			134	84	56	274	24	60	45	63	27	219	9	1004
			FY20 Q3 Plan				FY20 Q4 Plan							
AREA NAME	DISTRICT NAME	SITE NAME	6/13 - 6/19	6/20 - 6/26	6/27 - 7/3	Total Q3	7/4 - 7/10	7/11 - 7/17	7/18 - 7/24	7/25 - 7/31	8/1 - 9/30	Total Q4	FY21 - Q1	Total Reduction
Capital Metro	Atlanta	Atlanta GA P&DC	3	0	0	3	0	0	0	0	0	0	0	3
Capital Metro	Atlanta	North Metro GA P&DC	0	1	0	1	0	0	0	0	0	0	0	1
Capital Metro	Baltimore	Baltimore MD IMF	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Baltimore	Baltimore MD P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Capital Metro	Baltimore	Eastern Shore MD P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Capital	Curseen/Morris P&DC	0	2	0	2	0	0	0	0	0	0	0	2
Capital Metro	Capital	Government Mails	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Capital	Southern MD P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Capital	Suburban MD P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Capital Metro	Greater South Carolina	Charleston SC P&DF	2	0	0	2	0	0	0	0	0	0	0	2
Capital Metro	Greater South Carolina	Columbia SC P&DC	1	1	0	2	0	0	0	0	0	0	0	2
Capital Metro	Greater South Carolina	Greenville SC P&DC	2	0	0	2	0	0	0	0	0	0	0	2
Capital Metro	Greensboro	Greensboro NC P&DC	2	0	0	2	0	0	0	0	0	0	0	2
Capital Metro	Greensboro	Raleigh NC P&DC	0	1	0	1	0	0	0	0	0	0	0	1
Capital Metro	Greensboro	Rocky Mount NC P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Mid-Carolinas	Charlotte NC P&DC	0	4	0	4	0	0	0	0	0	0	0	4
Capital Metro	Mid-Carolinas	Fayetteville NC P&DC	1	2	0	3	0	0	0	0	0	0	0	3
Capital Metro	Northern Virginia	Dulles VA P&DC	0	1	0	1	0	0	0	0	0	0	0	1
Capital Metro	Northern Virginia	Merrifield VA P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Capital Metro	Richmond	Norfolk VA P&DC	2	0	0	2	0	0	0	0	0	0	0	2
Capital Metro	Richmond	Richmond VA P&DC	0	2	0	2	0	0	0	0	0	0	0	2
Eastern	Central Pennsylvania	Harrisburg PA P&DC	1	0	0	1	2	0	0	0	0	2	0	3
Eastern	Appalachian	Roanoke VA P&DC	0	2	0	2	1	0	0	0	0	1	0	3
Eastern	Kentuckiana	Lexington KY P&DC	1	0	1	2	0	0	0	0	0	0	0	2
Eastern	Central Pennsylvania	Lehigh Valley PA P&DF	1	0	0	1	0	0	2	0	0	2	0	3
Eastern	Central Pennsylvania	Scranton PA P&DF	0	0	0	0	0	0	1	2	0	3	0	3
Eastern	Kentuckiana	Evansville IN P&DF	1	0	0	1	1	0	0	0	0	1	0	2
Eastern	Kentuckiana	Louisville KY P&DC	1	3	0	4	0	0	0	0	0	0	0	4
Eastern	Ohio Valley	Dayton OH P&DC	1	1	0	2	1	0	0	0	0	1	0	3
Eastern	Kentuckiana	Paducah KY P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	South Jersey	Delaware P&DC	1	0	0	1	2	0	2	0	0	4	0	5
Eastern	Northern Ohio	Toledo OH P&DC	0	0	0	0	0	0	3	0	0	3	0	3
Eastern	Northern Ohio	Youngstown OH P&DF	2	0	0	2	0	0	0	0	0	0	0	2
Eastern	Ohio Valley	Cincinnati OH P&DC	0	0	0	0	3	1	2	0	0	6	0	6
Eastern	Ohio Valley	Columbus OH P&DC	0	0	0	0	0	0	0	8	0	8	0	8
Eastern	South Jersey	Trenton NJ P&DC	1	0	0	1	0	0	3	0	0	3	0	4
Eastern	Philadelphia Metro	Philadelphia PA P&DC	0	0	0	0	0	0	3	5	0	8	0	8
Eastern	Tennessee	Nashville TN P&DC	1	4	0	5	0	0	0	0	0	0	0	5
Eastern	Western Pennsylvania	Altoona PA P&DF	1	0	0	1	0	0	0	0	0	0	0	1
Eastern	Appalachian	Charleston WV P&DC	2	0	0	2	1	0	0	0	0	1	0	3
Eastern	Northern Ohio	Cleveland OH P&DC	2	2	0	4	0	2	0	0	0	2	0	6
Eastern	Tennessee	Johnson City TN P&DF	0	0	0	0	0	0	0	2	0	2	0	2
Eastern	South Jersey	South Jersey P&DC	2	0	0	2	2	0	1	0	0	3	0	5
Eastern	Tennessee	Knoxville TN P&DC	2	0	0	2	1	0	0	1	0	2	0	4
Eastern	Tennessee	Memphis TN P&DC	2	2	0	4	2	0	0	0	0	2	0	6
Eastern	Western New York	Buffalo NY P&DC	0	2	0	2	2	1	0	0	0	3	0	5
Eastern	Western New York	Rochester NY P&DC	0	2	0	2	0	0	0	2	0	2	0	4
Eastern	Tennessee	Chattanooga TN P&DC	3	0	0	3	0	0	0	0	0	0	0	3

			FY20 Q3 Plan				FY20 Q4 Plan							
Area Name	District Name	Site Name	6/13 - 6/19	6/20 - 6/26	6/27 - 7/3	Total Q3	7/4 - 7/10	7/11 - 7/17	7/18 - 7/24	7/25 - 7/31	8/1 - 9/30	Total Q4	FY21 - Q1	Total Reduction
Eastern	Western Pennsylvania	Erie PA P&DC	0	0	0	0	1	0	0	1	0	2	0	2
Eastern	Western Pennsylvania	Johnstown PA P&DF	1	0	0	1	0	0	0	0	0	0	0	1
Eastern	Western Pennsylvania	Pittsburgh PA P&DC	0	0	0	0	0	0	0	3	0	3	0	3
Great Lakes	Central Illinois	Carol Stream IL P&DC	0	0	1	1	1	0	0	0	0	1	0	2
Great Lakes	Central Illinois	Peoria IL P&DF	0	0	1	1	0	0	0	0	1	1	0	2
Great Lakes	Central Illinois	South Suburban IL P&DC	0	0	0	0	0	1	1	1	2	5	0	5
Great Lakes	Chicago	Cardiss Collins IL P&DC	2	0	0	2	0	1	0	0	1	2	0	4
Great Lakes	Chicago	Chicago International/Military Service Center	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Detroit	Detroit MI P&DC	2	0	0	2	0	0	0	0	0	0	0	2
Great Lakes	Detroit	Michigan Metroplex P&DC	7	2	0	9	0	0	0	0	0	0	0	9
Great Lakes	Gateway	Champaign IL P&DF	0	0	1	1	0	0	0	0	0	0	0	1
Great Lakes	Gateway	Mid Missouri MO P&DF	0	0	0	0	0	1	0	0	0	1	0	1
Great Lakes	Gateway	Saint Louis MO P&DC	0	3	0	3	0	0	0	0	1	1	0	4
Great Lakes	Gateway	Springfield IL P&DC	0	0	0	0	0	0	1	0	0	1	0	1
Great Lakes	Greater Indiana	Fort Wayne IN P&DC	0	0	0	0	0	0	0	0	2	2	0	2
Great Lakes	Greater Indiana	Gary IN P&DC	0	0	0	0	0	0	0	1	1	2	0	2
Great Lakes	Greater Indiana	Indianapolis IN P&DC	1	0	0	1	0	2	0	0	0	2	0	3
Great Lakes	Greater Indiana	Muncie IN P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Greater Indiana	South Bend IN P&DF	0	0	0	0	0	1	0	0	0	1	0	1
Great Lakes	Greater Michigan	Grand Rapids MI P&DC	1	0	0	1	0	0	1	0	3	4	0	5
Great Lakes	Greater Michigan	Iron Mountain MI P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Greater Michigan	Lansing MI P&DC	0	0	0	0	0	0	0	0	1	1	0	1
Great Lakes	Greater Michigan	Traverse City MI P&DF	1	0	0	1	0	0	0	1	0	1	0	2
Great Lakes	Lakeland	Green Bay WI P&DC	0	0	0	0	0	0	0	1	1	2	0	2
Great Lakes	Lakeland	Madison WI P&DC	1	0	0	1	0	0	0	0	1	1	0	2
Great Lakes	Lakeland	Milwaukee WI P&DC	1	0	1	2	0	1	0	1	0	2	0	4
Great Lakes	Lakeland	Central WI P&DF	0	0	0	0	0	0	0	0	1	1	0	1
Great Lakes	Lakeland	Palatine IL P&DC	1	1	0	2	1	1	0	1	1	4	0	6
Great Lakes	Lakeland	Wausau WI P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Northeast	Albany	Albany NY P&DC	0	0	0	0	0	2	1	1	0	4	0	4
Northeast	Albany	Syracuse NY P&DC	2	1	1	4	0	0	0	0	0	0	0	4
Northeast	Caribbean	San Juan PR P&DC	1	1	1	3	0	0	0	0	0	0	0	3
Northeast	Connecticut Valley	Hartford CT P&DC	1	1	1	3	0	0	0	3	0	3	0	6
Northeast	Connecticut Valley	Southern CT P&DC	1	1	0	2	0	0	0	0	0	0	0	2
Northeast	Greater Boston	Boston MA P&DC	1	1	2	4	0	2	1	0	0	3	0	7
Northeast	Greater Boston	Brockton MA P&DC	1	1	0	2	0	0	0	0	0	0	0	2
Northeast	Greater Boston	Central Massachusetts P&DC	1	1	1	3	0	0	0	0	0	0	0	3
Northeast	Greater Boston	Providence RI P&DC	2	0	0	2	0	0	0	0	0	0	0	2
Northeast	Long Island	Mid Island NY P&DC	2	0	0	2	0	1	0	0	0	1	0	3
Northeast	Long Island	Western Nassau NY P&DC	0	0	0	0	0	2	0	0	0	2	0	2
Northeast	New York	Morgan NY P&DC	0	0	0	0	0	4	2	1	0	7	0	7
Northeast	New York	NY ISC - JFK	0	0	0	0	0	0	0	0	0	0	0	0
Northeast	Northern New England	Burlington VT P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Northeast	Northern New England	Eastern Maine P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Northeast	Northern New England	Manchester NH	2	0	0	2	0	0	0	1	0	1	0	3
Northeast	Northern New England	Southern Maine P&DC	1	0	0	1	0	0	0	1	0	1	0	2
Northeast	Northern New England	White River Junction VT P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Northeast	Northern New Jersey	DVD NJ P&DC	0	0	0	0	0	4	0	0	0	4	0	4
Northeast	Northern New Jersey	Northern NJ Metro P&DC	0	0	0	0	0	2	0	0	0	2	0	2
Northeast	Triboro	Brooklyn NY P&DC	0	0	0	0	0	4	0	0	0	4	0	4

			FY20 Q3 Plan				FY20 Q4 Plan							
Area Name	District Name	Site Name	6/13 - 6/19	6/20 - 6/26	6/27 - 7/3	Total Q3	7/4 - 7/10	7/11 - 7/17	7/18 - 7/24	7/25 - 7/31	8/1 - 9/30	Total Q4	FY21 - Q1	Total Reduction
Northeast	Westchester	Mid-Hudson NY P&DC	0	0	0	0	0	0	0	1	0	1	0	1
Northeast	Westchester	Westchester NY P&DC	0	0	0	0	0	4	2	0	0	6	0	6
Pacific	Bay-Valley	Oakland CA P&DC	3	0	0	3	0	0	0	0	0	0	0	3
Pacific	Bay-Valley	San Jose CA P&DC	4	0	0	4	0	0	0	0	0	0	1	5
Pacific	Honolulu	Barrigada GU	0	0	0	0	0	0	0	0	0	0	0	0
Pacific	Honolulu	Honolulu HI P&DC	1	0	1	2	0	0	0	0	0	0	0	2
Pacific	Los Angeles	Los Angeles CA ISC	0	0	0	0	0	0	0	0	0	0	0	0
Pacific	Los Angeles	Los Angeles CA P&DC	5	0	0	5	0	0	0	6	0	6	3	14
Pacific	Sacramento	Fresno CA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Pacific	Sacramento	Redding CA MPF	0	0	0	0	0	0	0	0	0	0	0	0
Pacific	Sacramento	Sacramento CA P&DC	0	3	0	3	0	0	0	0	3	3	0	6
Pacific	San Diego	ML Sellers CA P&DC	0	0	0	0	0	0	0	0	3	3	0	3
Pacific	San Diego	Moreno Valley CA DDC	1	1	0	2	0	0	0	0	0	0	0	2
Pacific	San Diego	San Bernardino CA P&DC	0	0	0	0	0	0	0	0	1	1	0	1
Pacific	San Francisco	Eureka CA	0	0	0	0	0	0	0	0	0	0	0	0
Pacific	San Francisco	North Bay CA P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Pacific	San Francisco	San Francisco CA P&DC	3	0	0	3	0	0	0	0	0	0	3	6
Pacific	Santa Ana	North Grand DDC	2	0	0	2	0	0	0	0	0	0	2	4
Pacific	Santa Ana	Santa Ana CA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Pacific	Sierra Coastal	Bakersfield CA P&DC	0	2	0	2	0	0	0	0	0	0	0	2
Pacific	Sierra Coastal	Pasadena CA MPA	0	0	0	0	0	0	0	0	0	0	0	0
Pacific	Sierra Coastal	Santa Barbara CA P&DC	0	3	0	3	0	0	0	0	0	0	0	3
Pacific	Sierra Coastal	Santa Clarita CA P&DC	0	2	0	2	0	0	0	0	0	0	0	2
Southern	Alabama	Birmingham AL P&DC	2	1	0	3	0	0	0	0	0	0	0	3
Southern	Alabama	Huntsville AL P&DF	0	1	0	1	0	0	0	0	0	0	0	1
Southern	Alabama	Mobile AL P&DC	0	0	1	1	0	0	0	0	0	0	0	1
Southern	Alabama	Montgomery AL P&DC	1	0	0	1	0	1	0	0	0	1	0	2
Southern	Arkansas	Little Rock AR P&DC	0	0	0	0	0	1	1	1	0	3	0	3
Southern	Arkansas	Northwest Arkansas	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Dallas	Dallas TX P&DC	0	1	0	1	0	1	1	0	0	2	0	3
Southern	Dallas	North Texas TX P&DC	1	1	1	3	0	1	1	1	0	3	0	6
Southern	Fort Worth	Abilene TX P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Southern	Fort Worth	Amarillo TX P&DF	1	0	0	1	0	0	0	0	0	0	0	1
Southern	Fort Worth	Fort Worth TX P&DC	2	0	1	3	0	1	1	1	1	4	0	7
Southern	Fort Worth	Lubbock TX P&DF	0	1	0	1	0	0	0	0	0	0	0	1
Southern	Gulf Atlantic	Augusta GA P&DF	0	1	0	1	0	0	0	0	0	0	0	1
Southern	Gulf Atlantic	Gainesville FL P&DF	1	0	0	1	0	0	0	0	0	0	0	1
Southern	Gulf Atlantic	Jacksonville FL P&DC	1	0	1	2	1	1	1	1	0	4	0	6
Southern	Gulf Atlantic	Macon GA P&DC	1	1	0	2	0	0	0	0	0	0	0	2
Southern	Gulf Atlantic	Pensacola FL P&DC	0	0	1	1	0	1	0	0	0	1	0	2
Southern	Gulf Atlantic	Tallahassee FL P&DF	0	1	0	1	0	0	1	0	0	1	0	2
Southern	Houston	Beaumont TX P&DF	1	0	0	1	0	0	0	0	0	0	0	1
Southern	Houston	North Houston TX P&DC	3	1	1	5	0	2	2	2	2	8	0	13
Southern	Louisiana	Baton Rouge LA P&DC	0	0	1	1	0	1	0	0	0	1	0	2
Southern	Louisiana	Lafayette LA P&DF	1	0	0	1	0	0	0	0	0	0	0	1
Southern	Louisiana	New Orleans LA P&DC	1	1	1	3	0	1	0	0	0	1	0	4
Southern	Louisiana	Shreveport LA P&DC	0	0	0	0	0	0	0	1	1	2	0	2
Southern	Mississippi	Grenada MS CSF	1	0	0	1	0	0	0	0	0	0	0	1
Southern	Mississippi	Gulfport MS P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Southern	Mississippi	Hattiesburg MS	1	0	0	1	0	0	0	0	0	0	0	1

			FY20 Q3 Plan				FY20 Q4 Plan							
Area Name	District Name	Site Name	6/13 - 6/19	6/20 - 6/26	6/27 - 7/3	Total Q3	7/4 - 7/10	7/11 - 7/17	7/18 - 7/24	7/25 - 7/31	8/1 - 9/30	Total Q4	FY21 - Q1	Total Reduction
Southern	Mississippi	Jackson MS P&DC	1	1	0	2	0	0	0	0	0	0	0	2
Southern	Oklahoma	Oklahoma City OK P&DC	1	0	1	2	0	0	0	0	0	0	0	2
Southern	Oklahoma	Tulsa OK P&DC	0	1	0	1	0	1	0	0	0	1	0	2
Southern	Rio Grande	Austin TX P&DC	0	0	1	1	0	1	1	1	0	3	0	4
Southern	Rio Grande	Corpus Christi TX P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Southern	Rio Grande	El Paso TX P&DC	1	0	1	2	0	0	0	0	0	0	0	2
Southern	Rio Grande	McAllen TX	1	0	0	1	0	0	0	0	0	0	0	1
Southern	Rio Grande	Midland TX P&DF	1	0	0	1	0	0	0	0	0	0	0	1
Southern	Rio Grande	San Antonio TX P&DC	1	1	1	3	0	1	1	1	0	3	0	6
Southern	South Florida	Miami FL P&DC	1	1	2	4	0	0	1	0	0	1	0	5
Southern	South Florida	West Palm Beach FL P&DC	0	1	1	2	0	1	0	0	0	1	0	3
Southern	Suncoast	Fort Myers FL P&DC	1	2	0	3	0	2	0	0	0	2	0	5
Southern	Suncoast	Manasota FL P&DC	1	1	3	5	0	0	0	0	0	0	0	5
Southern	Suncoast	Mid-Florida P&DC	1	1	1	3	0	1	1	0	0	2	0	5
Southern	Suncoast	Orlando FL P&DC	1	1	1	3	0	1	1	1	0	3	0	6
Southern	Suncoast	Tampa FL P&DC	1	1	1	3	0	0	1	1	0	2	0	5
Western	Alaska	Anchorage AK P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Alaska	Juneau AK	0	0	0	0	0	0	0	0	0	0	0	0
Western	Arizona	Albuquerque NM P&DC	0	0	1	1	0	0	0	0	0	0	0	1
Western	Arizona	Phoenix AZ P&DC	0	0	3	3	0	0	0	0	0	0	0	3
Western	Arizona	Tucson AZ P&DC	0	0	1	1	0	0	0	0	0	0	0	1
Western	Central Plains	Grand Island NE P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Western	Central Plains	Lincoln NE P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Western	Central Plains	Norfolk NE P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Western	Central Plains	North Platte NE	0	0	0	0	0	0	0	0	0	0	0	0
Western	Central Plains	Omaha NE P&DC	0	0	0	0	0	0	1	0	0	1	0	1
Western	Central Plains	Wichita KS P&DC	0	1	0	1	0	0	0	0	0	0	0	1
Western	Colorado/Wyoming	Casper WY PO	0	0	0	0	0	0	1	0	0	1	0	1
Western	Colorado/Wyoming	Cheyenne WY P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Colorado/Wyoming	Colorado Springs CO P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Colorado/Wyoming	Denver CO P&DC	3	0	0	3	0	0	2	0	0	2	0	5
Western	Colorado/Wyoming	Grand Junction CO	0	0	0	0	0	0	0	0	0	0	0	0
Western	Colorado/Wyoming	Rock Springs WY	0	0	0	0	0	0	0	2	0	2	0	2
Western	Dakotas	Billings MT P&DC	0	0	1	1	0	0	0	0	0	0	0	1
Western	Dakotas	Bismarck ND	0	0	0	0	0	0	0	0	0	0	0	0
Western	Dakotas	Dakota Central SD P&DC	0	0	0	0	0	1	0	0	0	1	0	1
Western	Dakotas	Fargo ND P&DC	0	0	0	0	1	0	0	0	0	1	0	1
Western	Dakotas	Grand Forks ND	0	0	0	0	0	0	0	0	0	0	0	0
Western	Dakotas	Great Falls MT	0	0	0	0	0	0	0	0	0	0	0	0
Western	Dakotas	Minot ND P&DF	1	0	0	1	0	0	1	0	0	1	0	2
Western	Dakotas	Missoula MT	0	0	0	0	0	0	0	0	0	0	0	0
Western	Dakotas	Rapid City SD P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Western	Dakotas	Sioux Falls SD	2	0	0	2	0	0	0	0	0	0	0	2
Western	Hawkeye	Cedar Rapids IA P&DC	0	0	1	1	0	0	0	0	0	0	0	1
Western	Hawkeye	Des Moines IA P&DC	0	0	2	2	0	0	0	0	0	0	0	2
Western	Hawkeye	Quad Cities IL P&DF	0	0	1	1	0	0	0	0	0	0	0	1
Western	Hawkeye	Waterloo Plant IA	0	0	0	0	0	0	0	0	0	0	0	0
Western	Mid-America	Cape Girardeau MO P&DF	0	1	0	1	0	0	0	0	0	0	0	1
Western	Mid-America	Kansas City MO P&DC	0	3	0	3	0	0	0	0	0	0	0	3
Western	Mid-America	Springfield MO	0	1	0	1	0	0	0	0	0	0	0	1

AREA NAME	DISTRICT NAME	SITE NAME	FY20 Q3 Plan				FY20 Q4 Plan							Total Reduction
			6/13 - 6/19	6/20 - 6/26	6/27 - 7/3	Total Q3	7/4 - 7/10	7/11 - 7/17	7/18 - 7/24	7/25 - 7/31	8/1 - 9/30	Total Q4	FY21 - Q1	
Western	Nevada-Sierra	Las Vegas NV P&DC	0	0	0	0	0	2	0	0	0	2	0	2
Western	Nevada-Sierra	Reno NV P&DC	0	0	0	0	0	1	0	0	0	1	0	1
Western	Northland	Bemidji MN	0	0	0	0	0	0	0	0	0	0	0	0
Western	Northland	Duluth MN P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Western	Northland	Eau Claire WI P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Western	Northland	Mankato MN	0	0	0	0	0	0	0	0	0	0	0	0
Western	Northland	Minneapolis MN P&DC	0	0	3	3	0	0	0	2	0	2	0	5
Western	Northland	Saint Cloud MN	0	0	0	0	0	0	0	0	0	0	0	0
Western	Northland	Saint Paul MN P&DC - New	0	0	1	1	0	0	0	1	0	1	0	2
Western	Portland	Bend OR P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Western	Portland	Eugene OR P&DF	0	0	2	2	0	0	0	0	0	0	0	2
Western	Portland	Medford OR	0	0	0	0	0	0	0	0	0	0	0	0
Western	Portland	Portland OR P&DC	0	0	3	3	0	0	0	0	0	0	0	3
Western	Salt Lake City	Boise ID	0	0	0	0	0	0	0	1	0	1	0	1
Western	Salt Lake City	Pocatello ID	0	0	0	0	0	0	0	0	0	0	0	0
Western	Salt Lake City	Provo UT	0	0	0	0	0	0	0	0	0	0	0	0
Western	Salt Lake City	Salt Lake City UT P&D	1	1	1	3	0	0	0	0	0	0	0	3
Western	Seattle	Seattle WA DDC-East	0	0	0	0	0	0	0	0	0	0	0	0
Western	Seattle	Seattle WA P&DC	0	0	3	3	0	0	0	0	0	0	0	3
Western	Seattle	South WA DDC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Seattle	Spokane WA P&DC	0	0	0	0	0	0	0	2	0	2	0	2
Western	Seattle	Tacoma WA P&DC	0	0	0	0	1	0	0	0	0	1	0	1
Western	Seattle	Wenatchee WA	0	0	0	0	0	0	0	0	0	0	0	0
Western	Seattle	Yakima WA	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL														502

AREA NAME	DISTRICT NAME	SITE NAME	FY20 Q3 Plan				FY20 Q4 Plan							
			6/13 - 6/19	6/20 - 6/26	6/27 - 7/3	Total Q3	7/4 - 7/10	7/11 - 7/17	7/18 - 7/24	7/25 - 7/31	8/1 - 9/30	Total Q4	FY21 - Q1	Total Reductiin
Capital Metro	Atlanta	Atlanta GA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Atlanta	North Metro GA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Atlanta	Peachtree GA P&DC	0	0	0	0	0	0	0	1	0	1	0	1
Capital Metro	Baltimore	Baltimore MD IMF	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Baltimore	Baltimore MD P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Baltimore	Eastern Shore MD P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Capital	Curseen/Morris P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Capital	Southern MD P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Capital Metro	Capital	Suburban MD P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Greater South Carolina	Charleston SC P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Greater South Carolina	Columbia SC P&DC	0	0	0	0	0	0	0	1	0	1	0	1
Capital Metro	Greater South Carolina	Greenville SC P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Greensboro	Greensboro NC P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Greensboro	Raleigh NC P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Greensboro	Rocky Mount NC P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Mid-Carolinas	Charlotte NC P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Mid-Carolinas	Fayetteville NC Annex	1	0	0	1	0	0	0	0	0	0	0	1
Capital Metro	Northern Virginia	Dulles VA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Northern Virginia	Merrifield VA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Richmond	Norfolk VA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Richmond	Richmond VA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Appalachian	Charleston WV P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Appalachian	Roanoke VA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Central Pennsylvania	Harrisburg PA P&DC	0	0	0	0	1	0	0	0	0	1	0	1
Eastern	Central Pennsylvania	Lehigh Valley PA P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Central Pennsylvania	Scranton PA P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Kentuckiana	Evansville IN MPA	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Kentuckiana	Lexington KY P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Kentuckiana	Louisville KY P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Northern Ohio	Akron OH P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Northern Ohio	Cleveland OH FSS Annex	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Northern Ohio	Cleveland OH P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Eastern	Northern Ohio	Toledo OH P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Northern Ohio	Youngstown OH P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Ohio Valley	Cincinnati OH P&DC	0	2	0	2	0	0	0	0	0	0	0	2
Eastern	Ohio Valley	Columbus OH FSS Annex	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Ohio Valley	Columbus OH P&DC	0	0	0	0	1	0	0	0	0	1	0	1
Eastern	Ohio Valley	Dayton OH P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Philadelphia Metro	Philadelphia PA NDC	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Philadelphia Metro	Philadelphia PA P&DC	0	0	0	0	0	0	0	2	0	2	0	2
Eastern	South Jersey	Delaware P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	South Jersey	South Jersey P&DC	0	0	0	0	1	0	0	0	0	1	0	1
Eastern	South Jersey	Trenton NJ P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Tennessee	Chattanooga TN P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Tennessee	Knoxville TN P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Tennessee	Memphis TN P&DC	0	1	0	1	0	0	0	0	0	0	0	1
Eastern	Tennessee	Music City Annex	0	0	0	0	0	1	0	0	0	1	0	1
Eastern	Western New York	Buffalo NY P&DC	0	0	0	0	0	0	0	0	0	0	0	0

AREA NAME	DISTRICT NAME	SITE NAME	FY20 Q3 Plan				FY20 Q4 Plan							Total Reducti
			6/13 - 6/19	6/20 - 6/26	6/27 - 7/3	Total Q3	7/4 - 7/10	7/11 - 7/17	7/18 - 7/24	7/25 - 7/31	8/1 - 9/30	Total Q4	FY21 - Q1	
Eastern	Western New York	Rochester NY P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Western Pennsylvania	Altoona PA P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Western Pennsylvania	Erie PA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Western Pennsylvania	Johnstown PA P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Western Pennsylvania	Pennwood Place PA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Western Pennsylvania	Pittsburgh PA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Central Illinois	Carol Stream IL P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Central Illinois	Fox Valley IL P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Central Illinois	Peoria IL P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Central Illinois	South Suburban IL P&DC	0	0	0	0	0	0	0	0	1	1	0	1
Great Lakes	Chicago	Cardiss Collins IL P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Chicago	Chicago International/Military Service Cente	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Detroit	Detroit MI P&DC	0	1	0	1	0	0	0	0	0	0	0	1
Great Lakes	Detroit	Michigan Metroplex P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Great Lakes	Gateway	Champaign IL P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Gateway	Mid Missouri MO P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Gateway	Saint Louis MO P&DC	0	0	0	0	0	0	0	0	1	1	0	1
Great Lakes	Gateway	Springfield IL P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Greater indiana	Fort Wayne IN P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Greater indiana	Gary IN P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Greater indiana	Indianapolis IN P&DC	0	0	0	0	0	0	1	0	0	1	0	1
Great Lakes	Greater indiana	Muncie IN P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Greater indiana	South Bend IN P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Greater Michigan	Grand Rapids MI Annex	1	0	0	1	0	0	0	0	1	1	0	2
Great Lakes	Greater Michigan	Iron Mountain MI P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Greater Michigan	Lansing MI P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Greater Michigan	Traverse City MI P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Lakeland	Green Bay WI P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Lakeland	Madison WI P&DC	0	0	0	0	0	0	0	0	1	1	0	1
Great Lakes	Lakeland	Milwaukee WI P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Lakeland	Palatine IL P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Northeast	Albany	Albany NY P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Northeast	Albany	Syracuse NY P&DC	0	1	0	1	0	0	0	0	0	0	0	1
Northeast	Caribbean	San Juan PR P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Northeast	Connecticut Valley	Hartford CT P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Northeast	Connecticut Valley	Springfield MA NDC	1	0	0	1	0	0	0	0	0	0	0	1
Northeast	Greater Boston	Boston MA P&DC	0	1	0	1	0	0	0	0	0	0	0	1
Northeast	Greater Boston	Brockton MA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Northeast	Greater Boston	Central Massachusetts P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Northeast	Greater Boston	Middlesex-Essex MA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Northeast	Greater Boston	Providence RI P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Northeast	Long Island	Mid Island NY P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Northeast	Long Island	Western Nassau NY P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Northeast	New York	Morgan NY P&DC	0	0	0	0	0	1	0	0	0	1	0	1
Northeast	New York	NY ISC - JFK	0	0	0	0	0	0	0	0	0	0	0	0
Northeast	Northern New England	Burlington VT P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Northeast	Northern New England	Eastern Maine P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Northeast	Northern New England	Manchester NH	1	0	0	1	0	0	0	0	0	0	0	1
Northeast	Northern New England	Southern Maine P&DC	0	0	0	0	0	0	0	0	0	0	0	0

AREA NAME	DISTRICT NAME	SITE NAME	FY20 Q3 Plan				FY20 Q4 Plan							
			6/13 - 6/19	6/20 - 6/26	6/27 - 7/3	Total Q3	7/4 - 7/10	7/11 - 7/17	7/18 - 7/24	7/25 - 7/31	8/1 - 9/30	Total Q4	FY21 - Q1	Total Reductiin
Northeast	Northern New England	White River Junction VT P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Northeast	Northern New Jersey	DVD NJ P&DC	0	0	0	0	0	0	0	1	0	1	0	1
Northeast	Northern New Jersey	New Jersey IMF	0	0	0	0	0	0	0	0	0	0	0	0
Northeast	Northern New Jersey	Northern NJ Metro P&DC	0	0	0	0	0	0	1	0	0	1	0	1
Northeast	Triboro	Brooklyn NY P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Northeast	Westchester	Westchester NY P&DC	0	0	0	0	0	0	1	0	0	1	0	1
Pacific	Bay-Valley	Oakland CA P&DC	0	0	0	0	0	0	0	0	0	0	1	1
Pacific	Bay-Valley	San Jose CA P&DC	0	0	0	0	0	0	0	0	0	0	1	1
Pacific	Honolulu	Honolulu HI P&DC	0	0	1	1	0	0	0	0	0	0	0	1
Pacific	Los Angeles	Los Angeles CA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Pacific	Sacramento	Fresno CA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Pacific	Sacramento	Redding CA MPF	0	0	0	0	0	0	0	0	0	0	0	0
Pacific	Sacramento	Sacramento CA P&DC	0	1	0	1	0	0	0	0	0	0	0	1
Pacific	San Diego	ML Sellers CA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Pacific	San Diego	Moreno Valley CA DDC	0	1	0	1	0	0	0	0	0	0	0	1
Pacific	San Francisco	North Bay CA P&DC	0	0	1	1	0	0	0	0	0	0	0	1
Pacific	San Francisco	San Francisco CA P&DC	0	0	0	0	0	0	0	0	0	0	1	1
Pacific	Santa Ana	Anaheim CA P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Pacific	Santa Ana	North Grand DDC	0	0	0	0	0	0	0	0	0	0	1	1
Pacific	Santa Ana	Santa Ana CA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Pacific	Sierra Coastal	Bakersfield CA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Pacific	Sierra Coastal	Pasadena CA MPA	0	0	0	0	0	0	0	0	0	0	0	0
Pacific	Sierra Coastal	Santa Barbara CA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Pacific	Sierra Coastal	Santa Clarita CA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Pacific	Sierra Coastal	Van Nuys CA FSS Annex	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Alabama	Birmingham AL Annex	0	1	0	1	0	0	0	0	0	0	0	1
Southern	Alabama	Mobile AL P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Alabama	Montgomery AL P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Arkansas	Little Rock AR P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Arkansas	Northwest Arkansas	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Dallas	Dallas TX P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Southern	Dallas	North Texas TX P&DC	0	1	0	1	0	0	0	0	0	0	0	1
Southern	Fort Worth	Abilene TX P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Fort Worth	Amarillo TX P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Fort Worth	Fort Worth TX P&DC	0	0	1	1	0	0	0	0	0	0	0	1
Southern	Fort Worth	Lubbock TX P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Gulf Atlantic	Augusta GA P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Gulf Atlantic	Gainesville FL P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Gulf Atlantic	Jacksonville FL P&DC	0	1	0	1	0	0	0	0	0	0	0	1
Southern	Gulf Atlantic	Pensacola FL P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Gulf Atlantic	South Macon Station	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Gulf Atlantic	Tallahassee FL P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Houston	Beaumont TX P&DF	0	0	1	1	0	0	0	0	0	0	0	1
Southern	Houston	North Houston TX P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Southern	Louisiana	Baton Rouge LA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Louisiana	Lafayette LA P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Louisiana	New Orleans LA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Louisiana	Shreveport LA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Mississippi	Gulfport MS P&DC	0	0	0	0	0	0	0	0	0	0	0	0

AREA NAME	DISTRICT NAME	SITE NAME	FY20 Q3 Plan				FY20 Q4 Plan							Total Reducti
			6/13 - 6/19	6/20 - 6/26	6/27 - 7/3	Total Q3	7/4 - 7/10	7/11 - 7/17	7/18 - 7/24	7/25 - 7/31	8/1 - 9/30	Total Q4	FY21 - Q1	
Southern	Mississippi	Jackson MS P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Oklahoma	Oklahoma City OK P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Oklahoma	Tulsa OK P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Rio Grande	Austin TX P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Southern	Rio Grande	Corpus Christi TX P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Rio Grande	El Paso TX P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Rio Grande	McAllen TX	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Rio Grande	Midland TX P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Rio Grande	San Antonio TX P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Southern	South Florida	Royal Palm FL P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	South Florida	West Palm Beach FL P&DC	0	1	0	1	0	0	0	0	0	0	0	1
Southern	Suncoast	Fort Myers FL P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Suncoast	Manasota FL P&DC	0	0	0	0	0	0	0	1	0	1	0	1
Southern	Suncoast	Seminole FL P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Suncoast	Tampa FL P&DC	0	0	1	1	0	0	0	0	0	0	0	1
Western	Alaska	Anchorage AK P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Arizona	Albuquerque NM P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Arizona	Tucson AZ P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Arizona	West Valley AZ P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Central Plains	Lincoln NE P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Western	Central Plains	North Platte NE	0	0	0	0	0	0	0	0	0	0	0	0
Western	Central Plains	Omaha NE P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Central Plains	Wichita KS P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Colorado/Wyoming	Cheyenne WY P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Colorado/Wyoming	Colorado Springs CO P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Colorado/Wyoming	Denver CO P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Dakotas	Billings MT P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Dakotas	Bismarck ND	0	0	0	0	0	0	0	0	0	0	0	0
Western	Dakotas	Fargo ND ASF	0	0	0	0	0	0	0	0	0	0	0	0
Western	Dakotas	Great Falls MT	0	0	0	0	0	0	0	0	0	0	0	0
Western	Dakotas	Missoula MT	0	0	0	0	0	0	0	0	0	0	0	0
Western	Dakotas	Sioux Falls SD	0	0	0	0	0	0	0	0	0	0	0	0
Western	Hawkeye	Cedar Rapids IA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Hawkeye	Des Moines IA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Hawkeye	Quad Cities IL P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Western	Hawkeye	Waterloo Plant IA	0	0	0	0	0	0	0	0	0	0	0	0
Western	Mid-America	Kansas City MO P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Mid-America	Springfield MO	0	1	0	1	0	0	0	0	0	0	0	1
Western	Nevada-Sierra	Las Vegas NV P&DC	0	0	0	0	0	1	0	0	0	1	0	1
Western	Nevada-Sierra	Reno NV P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Northland	Duluth MN P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Western	Northland	Eau Claire WI P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Western	Northland	Mankato MN	0	0	0	0	0	0	0	0	0	0	0	0
Western	Northland	Minneapolis MN P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Northland	Saint Cloud MN	0	0	0	0	0	0	0	0	0	0	0	0
Western	Northland	Saint Paul MN P&DC - New	0	0	0	0	0	0	0	1	0	1	0	1
Western	Portland	Eugene OR P&DF	0	0	0	0	0	0	0	0	0	0	0	0
Western	Portland	Medford OR	0	0	0	0	0	0	0	0	0	0	0	0
Western	Portland	Portland OR P&DC	0	0	0	0	0	0	0	0	0	0	0	0

			FY20 Q3 Plan				FY20 Q4 Plan							
Area Name	District Name	Site Name	6/13 - 6/19	6/20 - 6/26	6/27 - 7/3	Total Q3	7/4 - 7/10	7/11 - 7/17	7/18 - 7/24	7/25 - 7/31	8/1 - 9/30	Total Q4	FY21 - Q1	Total Reductiin
Western	Salt Lake City	Boise ID	0	0	0	0	0	0	0	0	0	0	0	0
Western	Salt Lake City	Provo UT	0	0	0	0	0	0	0	0	0	0	0	0
Western	Salt Lake City	Salt Lake City UT ASF	0	0	0	0	0	0	0	0	0	0	0	0
Western	Seattle	Seattle WA DDC-East	0	0	0	0	0	0	0	0	0	0	0	0
Western	Seattle	Seattle WA P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Western	Seattle	South WA DDC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Seattle	Spokane WA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Seattle	Tacoma WA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Seattle	Yakima WA	0	0	0	0	0	0	0	0	0	0	0	0

			4	3	0	7	0	8	1	2	2	13	6	26
			FY20 Q3 Plan				FY20 Q4 Plan							
AREA NAME	DISTRICT NAME	SITE NAME	6/13 - 6/19	6/20 - 6/26	6/27 - 7/3	Total Q3	7/4 - 7/10	7/11 - 7/17	7/18 - 7/24	7/25 - 7/31	8/1 - 9/30	Total Q4	FY21 - Q1	Total Reduction
Capital Metro	Atlanta	North Metro GA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Atlanta	Peachtree GA P&DC	0	0	0	0	0	1	0	0	0	1	0	1
Capital Metro	Baltimore	Baltimore MD IMF	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Capital	Curseen/Morris P&DC	0	0	0	0	0	1	0	0	0	1	0	1
Capital Metro	Greensboro	Greensboro NC P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Greensboro	Raleigh NC P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Mid-Carolinas	Mid-Carolina NC P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Capital Metro	Northern Virginia	Dulles VA P&DC	0	0	0	0	0	1	0	0	0	1	0	1
Capital Metro	Richmond	Richmond VA P&DC	0	0	0	0	0	1	0	0	0	1	0	1
Eastern	Northern Ohio	Akron OH P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Northern Ohio	Cleveland OH FSS Annex	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Ohio Valley	Columbus OH FSS Annex	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Philadelphia Metro	Philadelphia PA NDC	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Philadelphia Metro	Philadelphia PA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	South Jersey	Trenton NJ P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Western New York	Northwest Rochester NY P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Eastern	Western Pennsylvania	Pennwood Place PA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Central Illinois	Fox Valley IL P&DC	2	0	0	2	0	0	0	0	0	0	0	2
Great Lakes	Central Illinois	South Suburban IL P&DC	0	1	0	1	0	0	0	0	1	1	0	2
Great Lakes	Detroit	Michigan Metroplex P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Greater Indiana	Indianapolis IN MPA	0	0	0	0	0	0	0	0	0	0	0	0
Great Lakes	Lakeland	Palatine IL P&DC	0	0	0	0	0	0	0	0	1	1	0	1
Northeast	Connecticut Valley	Springfield MA NDC	0	1	0	1	0	0	0	0	0	0	0	1
Northeast	Greater Boston	Middlesex-Essex MA P&DC	0	0	0	0	0	0	1	0	0	1	0	1
Northeast	Greater Boston	Providence RI P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Northeast	Long Island	Mid Island NY P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Northeast	Northern New Jersey	New Jersey IMF	0	0	0	0	0	0	0	0	0	0	0	0
Northeast	Triboro	Brooklyn NY P&DC	0	0	0	0	0	0	0	1	0	1	0	1
Northeast	Westchester	Westchester NY P&DC	0	0	0	0	0	1	0	0	0	1	0	1
Pacific	Bay-Valley	San Jose CA P&DC	0	0	0	0	0	0	0	0	0	0	1	1
Pacific	Los Angeles	Los Angeles CA P&DC	0	0	0	0	0	2	0	0	0	2	0	2
Pacific	Sacramento	Sacramento CA P&DC	0	0	0	0	0	0	0	0	0	0	1	1
Pacific	San Diego	ML Sellers CA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Pacific	San Diego	Moreno Valley CA DDC	0	0	0	0	0	0	0	0	0	0	2	2
Pacific	San Francisco	San Francisco CA P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Pacific	Santa Ana	Anaheim CA P&DF	0	0	0	0	0	0	0	0	0	0	2	2
Pacific	Sierra Coastal	Van Nuys CA FSS Annex	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Dallas	Dallas TX P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	Houston	North Houston TX P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Southern	South Florida	Royal Palm FL P&DC	0	1	0	1	0	0	0	0	0	0	0	1
Southern	Suncoast	Seminole FL P&DC	0	0	0	0	0	1	0	1	0	2	0	2
Western	Arizona	West Valley AZ P&DC	0	0	0	0	0	0	0	0	0	0	0	0

AREA NAME	DISTRICT NAME	SITE NAME	6/13 - 6/19	6/20 - 6/26	6/27 - 7/3	Total Q3	7/4 - 7/10	7/11 - 7/17	7/18 - 7/24	7/25 - 7/31	8/1 - 9/30	Total Q4	FY21 - Q1	Total Reductio n
Western	Colorado/Wyoming	Denver CO P&DC	1	0	0	1	0	0	0	0	0	0	0	1
Western	Mid-America	Kansas City MO P&DC	0	0	0	0	0	0	0	0	0	0	0	0
Western	Northland	Saint Paul MN P&DC - New	0	0	0	0	0	0	0	0	0	0	0	0

Exhibit 23

1 ROBERT W. FERGUSON
Attorney General
2 NOAH GUZZO PURCELL, WSBA #43492
Solicitor General
3 NATHAN K. BAYS, WSBA #43025
KRISTIN BENESKI, WSBA #45478
4 ANDREW R.W. HUGHES, WSBA #49515
CRISTINA SEPE, WSBA #53609
5 *Assistant Attorneys General*
EMMA GRUNBERG, WSBA #54659
6 TERA M. HEINTZ, WSBA #54921
(application for admission forthcoming)
7 KARL D. SMITH, WSBA #41988
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Seattle, WA 98104
9 (206) 464-7744

10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
18
19
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21
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NO. 1:20-cv-03127-SAB

DECLARATION OF HALEY
LIVERMORE IN SUPPORT OF
PLAINTIFF STATES' MOTION
FOR PRELIMINARY
INJUNCTION

1 I, Haley Livermore, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. I see a psychiatrist who prescribes me Adderall to provide relief
5 from symptoms of bipolar disorder. The medication helps me focus and think
6 clearly.

7 3. Because Adderall is a controlled substance, my psychiatrist can only
8 refill my prescriptions through written prescriptions, instead of calling my
9 pharmacy as he does for my other prescriptions.

10 4. Due to COVID-19, I was having my psychiatry appointments over
11 the phone. When I was low on medication, my doctor would send me the Adderall
12 prescription through the mail. I typically would receive the prescription about
13 two to three days after my appointment and then have it filled at a pharmacy.

14 5. Around mid-July 2020, I told my doctor that I had run out of
15 medication. My doctor sent me another written prescription through the United
16 States Postal Service. This prescription never arrived.

17 6. I tried to be patient, but around July 28th, I told my doctor that it had
18 not been delivered. My doctor asked me to inform him if the prescription did not
19 arrive soon.
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22

DECLARATION OF HALEY
LIVERMORE
1:20-cv-03127-SAB

2

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 7. During my appointment on August 4th, I confirmed that the
2 prescription had not arrived. While my doctor was certain that he had sent the
3 prescription, he sent me another one.

4 8. On the second attempt, I received the prescription after four days,
5 instead of the usual two to three. I had the prescription filled at my pharmacy the
6 next day.

7 9. Overall, I was without my medication for about three weeks.

8 10. Not having my medication made me experience cognitive
9 disfunction, which means it takes me longer to work through what should be
10 simple problems. This led to a rise in my anxiety and stress levels. This increased
11 stress made it more difficult to accomplish household chores and restart my job
12 search.

13 11. My husband is an essential worker and could use time to relax, since
14 he often has to work overtime in a stressful environment. But while I was without
15 my medication, he had to help me around the house and support me through
16 anxiety episodes.

17 I declare under penalty of perjury that the foregoing is true and correct.

18 DATED this 31st day of August, 2020, at Littleton, Colorado.

19 

20 HALEY LIVERMORE
21
22

Exhibit 24

1 ROBERT W. FERGUSON
Attorney General
2 NOAH GUZZO PURCELL, WSBA #43492
Solicitor General
3 NATHAN K. BAYS, WSBA #43025
KRISTIN BENESKI, WSBA #45478
4 ANDREW R.W. HUGHES, WSBA #49515
CRISTINA SEPE, WSBA #53609
5 *Assistant Attorneys General*
EMMA GRUNBERG, WSBA #54659
6 TERA M. HEINTZ, WSBA #54921
(application for admission forthcoming)
7 KARL D. SMITH, WSBA #41988
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9 (206) 464-7744

10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
18
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22

NO. 1:20-cv-03127-SAB

DECLARATION OF
MARKHAM MCINTYRE IN
SUPPORT OF PLAINTIFF
STATES' MOTION FOR
PRELIMINARY INJUNCTION

DECLARATION OF MARKHAM
MCINTYRE

1

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, Markham McIntyre, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. I have worked at the Seattle Metro Chamber for over seven years
5 and have been serving as the interim CEO since our previous President and CEO
6 resigned in January 2020. Previously, I also held positions in Jay Inslee's
7 congressional office and worked on his gubernatorial campaign in 2012.

8 3. As the Executive Vice President of the Seattle Metropolitan
9 Chamber of Commerce, I oversee and lead the Chamber's work.

10 4. The Seattle Metropolitan Chamber of Commerce is the largest and
11 most diverse business association in the Puget Sound region. Founded in 1882 by
12 local business leaders, the Chamber today is an independent organization
13 representing 2,600 companies and a regional workforce of approximately
14 750,000. The Seattle Metro Chamber is a business advocacy organization that
15 helps our members thrive in an equitable and inclusive regional economy.

16 5. Approximately 75% of the Seattle Metro Chamber's businesses are
17 small businesses. Approximately 30% of our members are microbusinesses with
18 10 employees or less.

19 6. Many of our small business members rely on the United States
20 Postal Service to fulfill customer orders, particularly given the Postal Service's
21 competitive rates and ability to serve every corner of the nation. The COVID-19
22

DECLARATION OF MARKHAM
MCINTYRE

2

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
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(206) 464-7744

1 pandemic has been very harmful to our members and the whole Puget Sound
2 business community. Small businesses have been especially hard hit. With an
3 uncertain retail market, many of our members have moved inventory online and
4 are relying more heavily on delivery orders than ever before.

5 7. Changes to the Postal Service causing delays and unpredictable
6 delivery times will cause strain and hardship to our small business members at a
7 time when efficient and reliable delivery service is more critical than ever. Losing
8 the ability to quickly process orders will hurt our members' bottom lines. These
9 delays impact not only whether customers receive their orders on time, but when
10 stores receive their inventory as well.

11 8. The Postal Service is an essential part of our nation's infrastructure.
12 These delays are causing significant harm to our members and millions of other
13 small businesses that rely on the Postal Service now more than ever.

14 I declare under penalty of perjury under the laws of the State of
15 Washington and the United States that the foregoing is true and correct.

16 DATED this 20th day of August, 2020, at Seattle, Washington.

17 

18

Markham McIntyre

19
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21
22
DECLARATION OF MARKHAM
MCINTYRE

Exhibit 25

1 ROBERT W. FERGUSON
Attorney General
2 NOAH GUZZO PURCELL, WSBA #43492
Solicitor General
3 NATHAN K. BAYS, WSBA #43025
KRISTIN BENESKI, WSBA #45478
4 ANDREW R.W. HUGHES, WSBA #49515
CRISTINA SEPE, WSBA #53609
5 *Assistant Attorneys General*
EMMA GRUNBERG, WSBA #54659
6 TERA M. HEINTZ, WSBA #54921
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7 KARL D. SMITH, WSBA #41988
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10 **UNITED STATES DISTRICT COURT**
11 **EASTERN DISTRICT OF WASHINGTON**
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
18
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NO. 1:20-cv-03127-SAB

DECLARATION OF DENISE
W. MERRILL IN SUPPORT OF
PLAINTIFF STATES' MOTION
FOR PRELIMINARY
INJUNCTION

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
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DECLARATION OF SECRETARY OF THE STATE DENISE W. MERRILL

I, Denise Merrill, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am Secretary of the State for the State of Connecticut. I was first began serving in that role on January 5, 2011, and I was elected to my third term as Connecticut's 73rd Secretary of the State on November 6, 2018. My office is in Hartford, Connecticut.

2. As Secretary of the State, one of my most important responsibilities is administering, interpreting, and implementing election laws and ensuring fair and impartial elections for both state and national elections held in Connecticut. My office's Elections and Voting Division develops and promulgates the state's elections calendar; coordinates closely with local Town Clerks and Registrars of Voters to promote voter registration and to maintain accurate voter rolls; provides training for local election officials; and oversees and administers other election-related initiatives including, in 2020, the use of secure ballot drop-boxes and the sending of mail-in ballot applications to every eligible Connecticut voter.

3. Connecticut expends considerable resources to promote fair and impartial elections in which every voter has a full and equal opportunity to vote safely and securely. In 2020, my office has spent at least \$500,000 on voter education, and a dedicated staff of 13 has spent the past six weeks entirely focused on promoting the right to vote across Connecticut.

4. My experience as Secretary of the State includes a term as president of the National Association of Secretaries of State (NASS). I have served as co-chair of NASS's Election Infrastructure Subsector Government Coordinating Council, and I currently serve on the Board of Advisors to the U.S. Election Assistance Commission. Prior to my election as Secretary of the State, I served as a Connecticut State Representative for 17 years, including a term from 2009-2011 as Connecticut's House Majority Leader.

5. I have compiled the information in this declaration through personal knowledge and through review of documents and information provided to me by my staff.

6. Connecticut has responded to the Covid-19 public health crisis, which has infected more than 46,000 people and killed more than 4,300 in the state, by expanding mail-in voting to help every eligible resident vote safely and securely in the 2020 primary and general elections.

7. Connecticut law limits voting by mail to cases of absence, illness, disability, or religious objection. Because of this limitation, state officials generally, and my office specifically, usually refers to voting by mail as “absentee” voting, even though a voter need not be absent from the jurisdiction in order to vote by mail. For the purposes of this Declaration, I will use the more inclusive term “mail-in voting.”

8. Article VI, § 7 of the Connecticut Constitution provides that the General Assembly may enact laws authorizing mail-in voting by “qualified voters of the state who are unable to appear at the polling place on the day of election because of absence from the city or town of which they are inhabitants or because of sickness, or physical disability or because the tenets of their religion forbid secular activity.”

9. Following the state Constitutional grant of authority, the Connecticut General Assembly passed Conn. Gen. Stat. § 9-135, which allows mail-in voting when an elector is “unable to appear at his or her polling place during the hours of voting” because of any of a set of enumerated reasons including “his or her illness.”

10. In a special session in July of 2020, Connecticut’s General Assembly passed Public Act No. 20-3, which in relevant part amends Conn. Gen. Stat. § 9-135 to provide that, for the purposes of the November 2020 election, the ongoing pandemic – and the fear of contracting

“the sickness of Covid-19” – is a valid reason for any eligible Connecticut resident to vote by mail.

11. In response to the new law, my office intends to send a mail-in ballot application to every registered voter in the state – a total of more than 2.1 million people – in the runup to the November 3, 2020 election. While my office sends the applications, they must be returned – using pre-paid return envelopes, for which the state of Connecticut expects to spend approximately \$1 million in the general election – to the town clerks in each of Connecticut’s 169 municipalities. These clerks, in turn, are responsible – directly or through a contracted mail processing house – for processing the applications and sending mail-in ballots to eligible applicants.

12. With the exception of blank ballots sent to voters overseas and to service members in the armed forces, those mail-in ballots cannot be sent to voters until October 2, 2020. Conn. Gen. Stat. §§ 9-135, 9-140. While absentee ballots can be requested – by mail or in person – until the day before the election, state law only allows Connecticut to count ballots that are received by 8 p.m. on election day.

13. I expect a record-breaking volume of mail-in voting in the November, 2020 election, as state residents continue to reduce coronavirus exposure and the risk of Covid-19 sickness by avoiding the prolonged social contact that often comes with in-person voting. In the state’s primary election, held on August 11, 2020 under similar rules to those that will be in place in November, mail-in voting exceeded prior-year benchmarks by a factor of 10, with nearly 57% of Connecticut voters using mail-in ballots. I anticipate that use of mail-in ballots in November’s general election will meet or exceed August’s historic highwater mark.

14. To try and ensure that every vote will be counted, my office has coordinated the placement of at least one secure ballot drop box in each of the state's municipalities. But I anticipate that, in November as in the August primary election, the United States Postal Service (USPS) will be called upon to deliver a significant portion of election-related mail at four key points in the process: Ballot application delivery from the Secretary of State; ballot application return to town clerks; printed ballots sent by town clerks to voters; and completed ballots returned by voters to town clerks. While drop boxes are an important and completely secure alternative to submitting ballots by mail, they are not a perfect substitute: Among other reasons, they may be relatively inaccessible to elderly voters with limited mobility and voters with disabilities.

15. On July 31, 2020, my office received a letter from Thomas Marshall, USPS' General Counsel, warning of a "mismatch" between Connecticut's mail-in voting process and USPS delivery standards. Among other things, Mr. Marshall advised that a completed mail-in ballot sent by First-Class Mail should be sent by Tuesday, October 27 in order to be received on time for a November 3 election.

16. To my knowledge, USPS has never before warned Connecticut that USPS will take seven days to deliver in-state, First-Class, election mail. Such a delay cannot be attribute to Connecticut's size. Connecticut is the third-smallest state in the country, measured in square miles. The distance between Greenwich, on Connecticut's western border, to Stonington, on the state's eastern border, is just 106 miles – a drive of less than two hours on the interstate highway. And, as the above explanation of Connecticut's voting process indicates, completed ballots are sent by voters to local election officials within their own towns or cities – a short distance, given

Connecticut's compact size. Our largest municipality by geographic area, the city of Danbury, is just 41 square miles.

17. Unfortunately, though, my office has every reason to fear that the unprecedented USPS warning reflects an unprecedented reality: I am deeply concerned that, without decisive action, mail delays may deprive some Connecticut residents of the right to vote in the 2020 General Election.

18. My office has received numerous complaints from Connecticut residents who timely requested mail-in ballots for our August primary, but whose ballots did not arrive through USPS until Election Day had passed. The residents, in those instances, were either forced to vote in person – risking exposure to the coronavirus – or else were not able to vindicate their right to vote.

19. It is important to stress that, in my years of experience overseeing Connecticut elections, those mailing delays are unprecedented. Until this August's primary election, it was routine for ballot applications and completed ballots to reach their intended destination in two days. But this year, mailing times were often longer – sometimes significantly longer – and those new delays cost our residents dearly.

20. In previous years Connecticut postal workers have accorded special priority status to election mail, ensuring that the mail reaches its destination promptly. In my understanding, the USPS no longer plans to use that special priority coding for Connecticut's election mail this November. I am deeply concerned that the turn away from prioritizing election mail will exacerbate the delays that we saw in August, threatening the voting rights of even more Connecticut residents.

Executed this 18 day of August, 2020 at Hartford, CT.



Denise W. Merrill
Secretary of the State

Exhibit 26

1 ROBERT W. FERGUSON
Attorney General
2 NOAH GUZZO PURCELL, WSBA #43492
Solicitor General
3 NATHAN K. BAYS, WSBA #43025
KRISTIN BENESKI, WSBA #45478
4 ANDREW R.W. HUGHES, WSBA #49515
CRISTINA SEPE, WSBA #53609
5 *Assistant Attorneys General*
EMMA GRUNBERG, WSBA #54659
6 TERA M. HEINTZ, WSBA #54921
(application for admission forthcoming)
7 KARL D. SMITH, WSBA #41988
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10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
18
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21
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NO. 1:20-cv-03127-SAB

DECLARATION OF STEVEN
MITCHELL IN SUPPORT OF
PLAINTIFF STATES' MOTION
FOR PRELIMINARY
INJUNCTION

DECLARATION OF STEVEN
MITCHELL

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, Steve Mitchell, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. I am the co-owner of Scuppernong Books, an independent bookstore
5 in Greensboro, North Carolina. We are a general interest/literary bookstore
6 featuring fiction and poetry along with children's books and a broad range of
7 general interest titles. We opened in 2013 and have been an essential part of the
8 rebirth of downtown Greensboro ever since. In 2018, we formed Scuppernong
9 Editions, an eclectic small press. Before the COVID-19 pandemic, we operated
10 a café in the store serving wine, beer, coffee, and food. We also hosted hundreds
11 of events a year, bringing in writers from around the world.

12 3. With the onset of the COVID-19 pandemic, our business, like so
13 many others, has struggled. We are currently open by appointment only for
14 socially-distanced browsing, and we require customers to make an appointment
15 online or by telephone before entering the store. We are also no longer able to
16 operate our in-store café, and we have had to stop holding in-store events. These
17 events were a major driver of business; in 2019, we hosted over 250 writers in
18 our store, as well as theatre, music, dance, and community conversation. All of
19 these changes have devastated foot traffic through our store.

20 4. With the huge drop in in-store sales of merchandise and
21 refreshments, the bookstore has now become reliant on delivery orders for a
22

DECLARATION OF STEVEN
MITCHELL

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 significant portion of our business, and therefore the efficient operation of the
2 United States Postal Service, to survive. Even before the COVID-19 pandemic,
3 we used the USPS to fulfil virtually all of our product orders, because their media
4 mail rates are considerably cheaper than their competitors. As a small business
5 sending just one or two items at a time, we cannot afford to use other major
6 carriers. Further, other major carriers do not deliver everywhere, including to
7 rural locations where some of our customers are located.

8 5. I understand through media reports and public announcements that
9 the USPS is currently making changes to the way it provides mail service.

10 6. We saw a huge increase in delivery orders at the beginning of the
11 pandemic—an increase of approximately 400 percent in April 2020. But in the
12 last couple of weeks, we have seen those numbers fall significantly. Anecdotally,
13 customers have complained to me about orders not arriving on time, and through
14 tracking packages on the USPS website, I can see myself that delivery times have
15 increased and that packages are increasingly being routed through roundabout
16 locations before arriving at their destination. I have even received questions from
17 customers asking if they should still have things mailed to them.

18 7. We rely significantly on delivery orders to stay in business and our
19 customers, who are fearful of, or cannot travel are worried they will be left
20 without service. If these delays continue, it will be a death blow to our bookstore
21 during a time when we are already struggling to survive. Going out of business
22

DECLARATION OF STEVEN
MITCHELL

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
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1 now will make it that much harder for us to come back after the pandemic is over.
2 We need the USPS to deliver efficient service to all areas of the country in order
3 to survive this crisis.

4 8. I live in the same community as the Postmaster General. These
5 delays deeply affect our community, from small businesses to people in rural
6 areas who rely on the Postal Service to receive medicines and other necessary
7 items by mail that are now subject to ten-day delays. Additionally, I am deeply
8 concerned that the Postal Service will be unable to process mail-in ballots in the
9 coming election.

10 I declare under penalty of perjury under the laws of the State of
11 Washington and the United States that the foregoing is true and correct.

12 DATED this __18__ day of August, 2020, at Greensboro, NC.

13 *Steve Mitchell*
14 STEVE MITCHELL

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DECLARATION OF STEVEN
MITCHELL

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
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Seattle, WA 98104-3188
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Exhibit 27

1 ROBERT W. FERGUSON
Attorney General
2 NOAH GUZZO PURCELL, WSBA #43492
Solicitor General
3 NATHAN K. BAYS, WSBA #43025
KRISTIN BENESKI, WSBA #45478
4 ANDREW R.W. HUGHES, WSBA #49515
CRISTINA SEPE, WSBA #53609
5 *Assistant Attorneys General*
EMMA GRUNBERG, WSBA #54659
6 TERA M. HEINTZ, WSBA #54921
(application for admission forthcoming)
7 KARL D. SMITH, WSBA #41988
Deputy Solicitors General
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Seattle, WA 98104
9 (206) 464-7744

10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
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NO. 1:20-cv-03127-SAB

DECLARATION OF ESTHER
OKANLAWON IN SUPPORT
OF PLAINTIFF STATES'
MOTION FOR PRELIMINARY
INJUNCTION

DECLARATION OF ESTHER
OKANLAWON

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, Esther Okanlawon, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. I am a family nurse practitioner, serving patients in Colorado.

5 3. As a healthcare provider, our goal is to deliver treatment in a
6 timely manner to alleviate the patient's symptoms.

7 4. While working on clinical rotations, I see patients who have been
8 prescribed medications which are sent from Express Scripts through the mail.

9 5. Before July, medications usually were delivered to patients
10 through the mail within seven days of receiving written prescriptions. In
11 psychiatric care, we usually schedule patients to return for follow-up
12 appointments four to five weeks later to see whether the medication is working.

13 6. Beginning around July 2020, I noticed that patients who were
14 prescribed medication through Express Scripts experienced delays in receiving
15 their medications through the mail.

16 7. Due to late deliveries through the mail, patients were returning to
17 their follow-up appointment having used only about seven to eight days' worth
18 of the medication.

19 8. Three to four patients experienced delivery delays of about 14 to
20 21 days for medication through the mail.
21
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DECLARATION OF ESTHER
OKANLAWON


ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 9. In psychiatric care, a delay in treatment usually leads to a delay in
2 symptom relief.

3 10. Because of these mail delays, patients have had to schedule
4 additional follow-up appointments because it typically takes about one month to
5 determine if the psychiatric treatments are effective. Patients might need to take
6 time off work to return for additional follow-up appointments.

7 I declare under penalty of perjury that the foregoing is true and correct.

8 DATED this 31st day of August, 2020, at Highlands Ranch, Colorado.

9
10 
11 ESTHER OKANLAWON
12 Family Nurse Practitioner
13
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21
22

DECLARATION OF ESTHER
OKANLAWON

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188

Exhibit 28

1 ROBERT W. FERGUSON
Attorney General
2 NOAH GUZZO PURCELL, WSBA #43492
Solicitor General
3 NATHAN K. BAYS, WSBA #43025
KRISTIN BENESKI, WSBA #45478
4 ANDREW R.W. HUGHES, WSBA #49515
CRISTINA SEPE, WSBA #53609
5 *Assistant Attorneys General*
EMMA GRUNBERG, WSBA #54659
6 TERA M. HEINTZ, WSBA #54921
(*application for admission forthcoming*)
7 KARL D. SMITH, WSBA #41988
Deputy Solicitors General
8 800 Fifth Avenue, Suite 2000
Seattle, WA 98104
9 (206) 464-7744

10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
18
19
20
21
22

NO. 1:20-cv-03127-SAB

DECLARATION OF
CAROLYN OLSEN IN
SUPPORT OF PLAINTIFF
STATES' MOTION FOR
PRELIMINARY INJUNCTION

DECLARATION OF
CAROLYN OLSEN
NO. 1:20-CV-03127-SAB

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, Carolyn Olsen, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. I am a retiree and a resident of Port Townsend, Washington.

5 3. I have relied on the U.S. Postal Service to deliver my medication by
6 mail for several years. I used Postal Prescription Services, a mail order program
7 based in Portland, Oregon, for at least eight years.

8 4. Before August 2020, I had never received a prescription more than
9 4 days after a refill or call in by a doctor for that prescription. Generally, it takes
10 between 2 and 3 days between the order and the delivery to me in Port Townsend,
11 Washington.

12 5. On August 10, 2020, my doctor called in two prescriptions to Postal
13 Prescription Services. One of these medications, Chlorthalidone, is used to treat
14 my high blood pressure; the second, Sertraline HCL, is an anti-depressant. Both
15 of these medications are critical to my health and well-being.

16 6. I grew concerned when, on or around August 14, 2020, I had not
17 received my prescription delivery and had been hearing reports of postal delays.
18 So, on or around August 14, I called Postal Prescription Services to ask about the
19 status of this prescription delivery. A customer service representative informed
20 me that Postal Prescription Services had mailed out my prescriptions the same
21 day my doctor placed the order—on August 10.
22

DECLARATION OF
CAROLYN OLSEN
NO. 1:20-CV-03127-SAB

2

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 7. A few days later, I followed-up again with Postal Prescription
2 Services and got the tracking number. I then called my local Post Office and
3 learned that my delivery had been stuck at a facility in Federal Way since August
4 15, 2020. I was told that I should expect to receive my medication by August 20,
5 2020.

6 8. My medication did not arrive by August 20, 2020.

7 9. On or about August 21, 2020, I called the U.S. Postal Service to
8 report missing mail. An employee took my information, told me she would stamp
9 my inquiry as URGENT, and would send the inquiry to my local Post Office. My
10 request number is 14204165.

11 10. I have since received two emails from the U.S. Postal Service that
12 have thanked me for my patience and stated that the U.S. Postal Service was
13 looking into the matter.

14 11. As of August 31, 2020 I still have not received my prescriptions.

15 12. Because of my age and my high blood pressure, I am at an increased
16 risk for severe illness from COVID-19.

17 13. Due to the risk of exposure to COVID-19, it would be better and
18 more convenient for me to receive my medication by mail. This way I can avoid
19 waiting in line at a pharmacy and minimize my exposure by staying at home.

20 14. Because of my concerns with the delayed delivery, and my worry
21 that similar issues would come up with replacement medications sent by mail, I
22

DECLARATION OF
CAROLYN OLSEN
NO. 1:20-CV-03127-SAB

1 went to my local pharmacy to get my medication to avoid running out of my
2 medications.

3 15. To do so, I had to remove my prescriptions from Postal Prescription
4 Services, because I do not trust that future medications will be delivered in a
5 timely and consistent way. The retail pharmacist then had to call my doctor so I
6 could get my prescription filled at the local pharmacy.

7 16. Postal Prescription Services has been a good service but I think other
8 people, like me, will pull their prescriptions out of concern for mail delays.

9 17. I have experienced a lot of anxiety and stress because of the delays
10 in receiving my medication by mail and the follow-up I had to do. I think this
11 stress has increased my blood pressure.

12 I declare under penalty of perjury under the laws of the United States that
13 the foregoing is true and correct.

14
15 DATED this 31 day of August, 2020, at Port Townsend, Washington.

16 

17 Carolyn Olsen
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19
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21
22

DECLARATION OF
CAROLYN OLSEN
NO. 1:20-CV-03127-SAB

4

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
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Exhibit 29

1 ROBERT W. FERGUSON
Attorney General
2 NOAH GUZZO PURCELL, WSBA #43492
Solicitor General
3 NATHAN K. BAYS, WSBA #43025
KRISTIN BENESKI, WSBA #45478
4 ANDREW R.W. HUGHES, WSBA #49515
CRISTINA SEPE, WSBA #53609
5 *Assistant Attorneys General*
EMMA GRUNBERG, WSBA #54659
6 TERA M. HEINTZ, WSBA #54921
(application for admission forthcoming)
7 KARL D. SMITH, WSBA #41988
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Seattle, WA 98104
9 (206) 464-7744

10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
18
19
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21
22

NO. 1:20-cv-03127-SAB

DECLARATION OF AMY
PETERSON IN SUPPORT OF
PLAINTIFF STATES' MOTION
FOR PRELIMINARY
INJUNCTION

DECLARATION OF
AMY PETERSON

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, Amy Peterson, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. I am currently the Human Resources Supervisor for the Minnesota
5 Department of Administration.

6 3. As part of my job duties I supervise human resource services for
7 employees at the Department of Administration, Minnesota Management and
8 Budget, and nearly thirty small agencies, boards, and councils.

9 4. The human resources department administers Family and Medical
10 Leave Act (FMLA) services for employees of the relevant agencies, boards, and
11 councils. One important part of this service is to provide FMLA paperwork to
12 employees who request leave or who are out on continuous leave.

13 5. Federal regulations require that FMLA paperwork be provided to
14 employees within certain time deadlines. This time frame can be as short as five
15 days. The purpose of much of the paperwork is to provide employees timely notice
16 of their rights and responsibilities under the FMLA.

17 6. Some employees on FMLA leave no longer report to their work site
18 and paperwork must be sent to their homes. There have been incidents, at least

DECLARATION OF
AMY PETERSON

2

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 two recently, where the United States Postal Service (USPS) has not delivered
2 time-sensitive FMLA paperwork in a timely manner.

3 7. In one instance paperwork was sent via certified mail on August 18th
4 or 19th, and as of the date of this declaration, has still not been delivered.

5 8. These delays prevent employees from completing FMLA paperwork
6 in a timely manner, limit employees' receipt of timely notice of their legal rights as
7 contemplated by federal law, place the Department at legal risk of allegations of
8 failure to comply with the FMLA notice requirements, and prevent managers from
9 planning for employees' leave while an employee's status is uncertain.

10 9. The Department of Administration also responds to unemployment
11 claims on behalf of certain state agencies.

12 10. When an individual separates from employment, they can apply for
13 unemployment benefits through the Minnesota Department of Employment and
14 Economic Development (DEED). When an individual applies for unemployment
15 benefits, DEED sends a letter to the employer and typically provides ten days to
16 respond to the application to dispute the individual's entitlement to unemployment
17 benefits. If the employer does not respond, the benefits are often approved without
18 the benefit of the employer's contrary information, and the employer is liable to
19 pay for those benefits.

DECLARATION OF
AMY PETERSON

3

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
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1 11. There have been instances where unemployment letters from DEED
2 have been delivered by the USPS after the deadline to respond to the
3 unemployment application. Those letters must have taken in excess of ten days to
4 be delivered. This effectively deprives the Department of its right to dispute the
5 individual's entitlement to benefits.

6 12. On at least two occasions, the Department would have contested an
7 individual's entitlement to unemployment benefits but was unable to do so because
8 the unemployment letter from DEED was delivered by the USPS after the deadline
9 to respond.

10 13. The Department is paying for unemployment benefits that would have
11 been contested because USPS delivered those letters past the responsive deadline.
12 Had DEED had the benefit of the Department's information, DEED may have
13 determined the individual was in fact ineligible for benefits.

14 14. These mail delays are impairing the ability of the Department to
15 effectively and efficiently administer human resource services to the state agencies
16 it serves.
17

DECLARATION OF
AMY PETERSON

4

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I declare under penalty of perjury under the laws of the States of Washington
2 and Minnesota and the United States of America that the foregoing is true and
3 correct.

4 Dated: September 4, 2020

Amy Peterson

AMY PETERSON

DECLARATION OF
AMY PETERSON

5

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
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Exhibit 30

1 ROBERT W. FERGUSON
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2 NOAH GUZZO PURCELL, WSBA #43492
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KRISTIN BENESKI, WSBA #45478
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11
12 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
13 **AT YAKIMA**

14 STATE OF WASHINGTON, et al.,

15 Plaintiffs,

16 v.

17 DONALD J. TRUMP, et al.,

18 Defendants.

NO. 1:20-cv-03127-SAB

DECLARATION OF CHRISTOPHER
E. PIPER IN SUPPORT OF
PLAINTIFF STATES' MOTION FOR
PRELIMINARY INJUNCTION

19
20
21
22
DECLARATION OF
CHRISTOPHER E. PIPER

ATTORNEY GENERAL OF VIRGINIA
202 North Ninth Street
Richmond, Virginia 23219
804-692-0558 (telephone)
804-692-1647 (facsimile)
clewis@oag.state.va.us

1 I, Christopher E. Piper, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters herein, and
3 make this declaration based on my personal knowledge.

4 2. I am the Commissioner of the Virginia Department of Elections.

5 3. I was appointed to and have served in this position since February 2018.

6 4. As Commissioner, I am also the Chief Election Officer in the Commonwealth.

7 5. Over the subsequent two years, I have overseen six statewide elections, as
8 well as a number of special and local elections.

9 6. The Virginia Department of Elections is charged with overseeing the work of
10 the county and city electoral boards and of the registrars of 133 localities to obtain uniformity
11 in their practices and proceedings and legality and purity in all elections. Va. Code § 24.2-
12 103(A).

13 7. Under the Virginia Code, any individual may vote absentee without providing
14 an excuse to do so. *See* Va. Code § 24.2-700.

15 8. Virginia permits any qualified voter to vote absentee after completing and
16 returning a valid absentee ballot application. Va. Code §§ 24.2-700 and 24.2-701.

17 9. After receiving a valid application for an absentee ballot, the general registrar
18 enrolls the name and address of the applicant on the absentee voter applicant list. Va. Code
19 § 24.2-706. The voter then has the ability to vote either in-person absentee, Va. Code §§
20 24.2-701.1 and 24.2-701.2, or by mail, Va. Code § 24.2-707.

21
22
DECLARATION OF
CHRISTOPHER E. PIPER

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1 10. Requests to have an absentee voter ballot mailed must be received by the
2 general registrar no later than 5:00 p.m. 11 days before the November election. Va. Code
3 § 24.2-701(B)(2).

4 11. Absentee ballots must be returned to the general registrar no later than noon
5 on the third day after the election in order to be counted. Va. Code § 24.2-709(B).

6 12. General registrars use First Class mail to mail ballots.

7 13. Absentee voting in Virginia has seen a marked increase since the beginning of
8 the COVID-19 pandemic. In the 2020 June primary elections, 542,318 total ballots were cast,
9 and, of those ballots, 105,832 were absentee.

10 14. In order to meet the increased need for absentee voting during the COVID-19
11 pandemic, the Virginia Department of Elections has distributed funds provided under the
12 Coronavirus Aid, Relief, and Economic Security (CARES) Act. Many localities have already
13 expended those funds for the purpose of preparing and sending a large influx of absentee
14 ballots.

15 15. In the 2020 May town and city general and special elections, 139,454 total
16 ballots were cast, and, of those ballots, 66,333 were absentee.

17 16. In comparison, for the 2018 May town and city general and special elections,
18 during which the number of total ballots cast was 130,829, there were only 4,466 absentee
19 ballots cast.

20 17. On July 30, Mr. Thomas Marshall, General Counsel for the USPS, sent a letter
21 to notify me that “certain deadlines for requesting and casting mail-in ballots [in Virginia] are
22 incongruous with the Postal Service’s delivery standards.” Accordingly, Mr. Marshall

DECLARATION OF
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1 explained that “this mismatch creates a risk that ballots requested near the deadline under
2 state law will not be returned by mail in time to be counted under your laws as we understand
3 them.” *See* Ex. A, July 30, 2020 Marshall Letter.

4 18. Mr. Marshall also advised me that, as a result of the Postal Service’s delivery
5 standards, to the extent the mail is used to transmit ballots to and from voters, “there is
6 significant risk that, at least in certain circumstances, ballots may be requested in a manner
7 that is consistent with [Virginia’s] election rules and returned promptly, and yet not be
8 returned in time to be counted.”

9 19. It remains to be seen what any changes to the USPS system will have on the
10 absentee voting system in Virginia. Since these changes have been proposed, localities in the
11 Commonwealth have not had to mail out ballots. The last absentee ballots mailed to voters
12 were for the July 7 and 14 special elections in Arlington and Smyth Counties, prior to any
13 proposed postal changes.

14 20. Ballot proofs will begin being reviewed on August 22 and must be mailed out
15 no later than September 19.

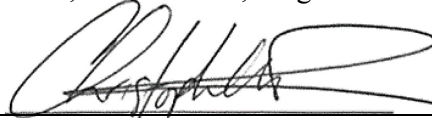
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DECLARATION OF
CHRISTOPHER E. PIPER

ATTORNEY GENERAL OF VIRGINIA
202 North Ninth Street
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clewis@oag.state.va.us

1 I declare under penalty of perjury under the laws of the United States that the
2 foregoing is true and correct.

3 DATED this 4th day of September, 2020, at Richmond, Virginia.

4
5 

6 Christopher E. Piper
7 Commissioner, Virginia Department of Elections
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DECLARATION OF
CHRISTOPHER E. PIPER

ATTORNEY GENERAL OF VIRGINIA
202 North Ninth Street
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Piper Declaration
Exhibit A

THOMAS J. MARSHALL
GENERAL COUNSEL
AND EXECUTIVE VICE PRESIDENT



July 30, 2020

Honorable Christopher Piper
Commissioner, Department of Elections
Washington Building
1100 Bank Street, Floor 1
Richmond, VA 23219-3642

Dear Commissioner Piper:

Re: Deadlines for Mailing Ballots

With the 2020 General Election rapidly approaching, this letter follows up on my letter dated May 29, 2020, which I sent to election officials throughout the country. That letter highlighted some key aspects of the Postal Service's delivery processes. The purpose of this letter is to focus specifically on the deadlines for requesting and casting ballots by mail. In particular, we wanted to note that, under our reading of Virginia's election laws, certain deadlines for requesting and casting mail-in ballots may be incongruous with the Postal Service's delivery standards. This mismatch creates a risk that ballots requested near the deadline under state law will not be returned by mail in time to be counted under your laws as we understand them.

As I stated in my May 29 letter, the two main classes of mail that are used for ballots are First-Class Mail and USPS Marketing Mail, the latter of which includes the Nonprofit postage rate. Voters must use First-Class Mail (or an expedited level of service) to mail their ballots and ballot requests, while state or local election officials may generally use either First-Class Mail or Marketing Mail to mail blank ballots to voters. While the specific transit times for either class of mail cannot be guaranteed, and depend on factors such as a given mailpiece's place of origin and destination, most domestic First-Class Mail is delivered 2-5 days after it is received by the Postal Service, and most domestic Marketing Mail is delivered 3-10 days after it is received.

To account for these delivery standards and to allow for contingencies (e.g., weather issues or unforeseen events), the Postal Service strongly recommends adhering to the following timeframe when using the mail to transmit ballots to domestic voters:

- **Ballot requests:** Where voters will both receive and send a ballot by mail, voters should submit their ballot request early enough so that it is received by their election officials at least 15 days before Election Day at a minimum, and preferably long before that time.
- **Mailing blank ballots to voters:** In responding to a ballot request, election officials should consider that the ballot needs to be in the hands of the voter so that he or she has adequate time to complete it and put it back in the mail stream so that it can be processed and delivered by the applicable deadline. Accordingly, the Postal Service recommends that election officials use First-Class Mail to transmit blank ballots and allow 1 week for delivery to voters. Using Marketing Mail will result in slower delivery times and will increase the risk that voters will not receive their ballots in time to return them by mail.

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WASHINGTON DC 20260-1100
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THOMAS.J.MARSHALL@USPS.GOV
WWW.USPS.COM

- 2 -

- **Mailing completed ballots to election officials:** To allow enough time for ballots to be returned to election officials, domestic voters should generally mail their completed ballots at least one week before the state's due date. In states that allow mail-in ballots to be counted if they are *both* postmarked by Election Day *and* received by election officials by a specific date that is less than a week after Election Day, voters should mail their ballots at least one week before they must be received by election officials. So, for example, if state law requires a mail-in ballot to be postmarked by Tuesday, November 3, and received by Friday, November 6, voters should mail their ballot by Friday, October 30, to allow enough time for the ballots to be delivered by November 6. Voters must also be aware of the posted collection times on collection boxes and at the Postal Service's retail facilities and that ballots entered after the last posted collection time on a given day will not be postmarked until the following business day.

Under our reading of your state's election laws, as in effect on July 27, 2020, certain state-law requirements and deadlines appear to be incompatible with the Postal Service's delivery standards and the recommended timeframe noted above. As a result, to the extent that the mail is used to transmit ballots to and from voters, there is a significant risk that, at least in certain circumstances, ballots may be requested in a manner that is consistent with your election rules and returned promptly, and yet not be returned in time to be counted.

Specifically, it appears that a voter may generally request a ballot as late as 11 days before the election, and that a completed ballot must be postmarked by Election Day and received by election officials no later than 3 days after the election. It also appears that election officials have 3 business days to transmit a ballot to the voter in response to a request. If a voter submits a request at or near the ballot-request deadline, and if the election official transmits the ballot to the voter by mail 3 business days later, there is a risk that the voter will not receive the ballot before the postmarking deadline or have sufficient time to complete and mail the completed ballot back to election officials in time for it to arrive by the state's receipt deadline. Also, please note that, given the delivery standards for First-Class Mail, there is a risk that completed ballots postmarked on Election Day itself will not be delivered in time to meet the state's receipt deadline of November 6. As noted above, voters who choose to mail their ballots should do so no later than Friday, October 30.

To be clear, the Postal Service is not purporting to definitively interpret the requirements of your state's election laws, and also is not recommending that such laws be changed to accommodate the Postal Service's delivery standards. By the same token, however, the Postal Service cannot adjust its delivery standards to accommodate the requirements of state election law. For this reason, the Postal Service asks that election officials keep the Postal Service's delivery standards and recommendations in mind when making decisions as to the appropriate means used to send a piece of Election Mail to voters, and when informing voters how to successfully participate in an election where they choose to use the mail. It is particularly important that voters be made aware of the transit times for mail (including mail-in ballots) so that they can make informed decisions about whether and when to (1) request a mail-in ballot, and (2) mail a completed ballot back to election officials.

We remain committed to sustaining the mail as a secure, efficient, and effective means to allow citizens to participate in the electoral process when election officials determine to utilize the mail as a part of their election system. Ensuring that you have an understanding of our operational capabilities and recommended timelines, and can educate voters accordingly, is important to achieving a successful election season. Please reach out to your assigned election mail coordinator to discuss the logistics of your mailings and the services that are available as well as any questions you may have. A list of election mail coordinators may be found on our website at: <https://about.usps.com/election-mail/politicaelection-mail-coordinators.pdf>.

- 3 -

We hope the information contained in this letter is helpful, and please let me know if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas J. Marshall". The signature is fluid and cursive, with the first name "Thomas" and last name "Marshall" clearly distinguishable. The signature is positioned above the printed name "Thomas J. Marshall".

Thomas J. Marshall

Exhibit 31

1 ROBERT W. FERGUSON
Attorney General
2 NOAH GUZZO PURCELL, WSBA #43492
Solicitor General
3 NATHAN K. BAYS, WSBA #43025
KRISTIN BENESKI, WSBA #45478
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11 **UNITED STATES DISTRICT COURT**
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13 STATE OF WASHINGTON, et
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NO. 1:20-cv-03127-SAB

DECLARATION OF AMY
PUHALSKI IN SUPPORT OF
PLAINTIFF STATES' MOTION
FOR PRELIMINARY
INJUNCTION

DECLARATION OF PUHALSKI

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, Amy Puhalski, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. I am the local president for the Western Michigan Area Local
5 American Postal Workers Union and my office is inside the United States Post
6 Office in Grand Rapids, MI at 225 Michigan St NW.

7 3. Among other duties, I supervise the officers and stewards of our
8 local union.

9 4. I have personally observed that two Delivery Bar Code Sorter
10 machines have been removed from the United States Post Office in Grand
11 Rapids, MI at 225 Michigan St NW. Two more machines were slated to be
12 removed and are currently not being used. A fifth Delivery Bar Code Sorter was
13 going to be moved at the facility, power has been cut from this Delivery Bar Code
14 Sorter, but it has not been moved and it is not in use.

15 5. I have personally observed that an automated flat sorter machine
16 was removed from the United States Post Office in Kentwood, MI. The
17 automated flat sorter machine has been physically removed and the parts have
18 been or are in the process of being scrapped.

19 6. The automated flat sorter machine sorts flats, mail that cannot go
20 through Delivery Bar Code Sorter, and can process approximately 16,000 pieces
21 of mail per hour.
22

DECLARATION OF PUHALSKI

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
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1 7. The Delivery Bar Code Sorter puts the mail in a walking route for
2 postal workers so they can deliver the mail and the machine can process
3 approximately 36,000 letters per hour for delivery by mail carriers.

4 8. I personally spoke with the maintenance staff that was removing
5 these sorting machines and they explained that removal and disassembly actions
6 were taking place through 4:00 pm on August 18, 2020.

7 9. I am aware that the Western Michigan Post Offices have been
8 operating under a new policy that no postal trucks are to leave late. Prior to this
9 policy, if postal employees were in the midst of sorting mail, they would finish
10 sorting and that mail would be placed on the truck for that day's delivery. Now,
11 under the new policy, a considerable amount of mail does not get placed on the
12 truck and must await the next day's delivery.

13 10. On the morning of August 19, 2020, I witnessed that a considerable
14 amount of mail from the Kalamazoo and Holland jurisdictions did not make that
15 day's truck and had to wait for delivery the following day.

16 11. I am also aware that within the Western Michigan Post Offices a
17 policy of no early overtime has been implemented. This makes it more likely
18 that mail will not be sorted in time to be timely delivered.

19 12. Prior to this no-early-overtime policy, employees could take
20 overtime prior to their normal "tour" (shift), which was helpful for same-day
21 processing. Although under the new policy employees can take overtime at the
22

DECLARATION OF PUHALSKI

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
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1 end of the day, the mail that is processed during this overtime will not go out for
2 delivery until the following day.

3 I declare under penalty of perjury under the laws of the State of Michigan
4 and the United States that the foregoing is true and correct.

5 DATED this 20 day of August, 2020, at Grand Rapids, Michigan.

6 

7 Amy Puhalski
8 Local President, Western Michigan Area Local
9 American Postal Workers Union
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DECLARATION OF PUHALSKI

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Exhibit 32

1 ROBERT W. FERGUSON
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Solicitor General
3 NATHAN K. BAYS, WSBA #43025
KRISTIN BENESKI, WSBA #45478
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5 *Assistant Attorneys General*
EMMA GRUNBERG, WSBA #54659
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(application for admission forthcoming)
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10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
18
19
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21
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NO. 1:20-cv-03127-SAB

DECLARATION OF KRISTIN
A. RICHARDS IN SUPPORT
OF PLAINTIFF STATES'
MOTION FOR PRELIMINARY
INJUNCTION

DECLARATION OF
KRISTIN A. RICHARDS

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, KRISTIN A. RICHARDS, declare:

2 1. I am a resident of the State of Illinois. I am over the age of 18 and make this
3 declaration from personal knowledge and based on records from the Illinois Department of
4 Employment Security (“IDES”). If called as a witness, I could and would testify competently
5 to all the matters set forth below.

6 2. I am the Acting Director of IDES. I am responsible for overseeing the day to day
7 operations of IDES. I coordinate with IDES staff to develop policies, objectives, and initiatives
8 to further IDES’ mission to serve its community. I have held this position since August 10,
9 2020.

10 3. Our mission is to serve Illinois workers and employers by administering
11 unemployment insurance, programs created in Illinois under the Workforce Innovation and
12 Opportunity Act, and other federal programs to the best of our ability and to use our knowledge
13 of the Illinois workforce to inform sound policy decision making for Illinois residents and
14 employers.

15 4. Between March 1, 2020 and August 29, 2020, IDES administered regular
16 unemployment insurance under the Illinois Unemployment Insurance Act, 820 ILCS 405/100
17 *et seq.*, as well as benefits pursuant to the Pandemic Unemployment Assistance (“PUA”) and
18 Pandemic Emergency Unemployment Compensation (“PEUC”) programs created by the
19 Coronavirus Aid, Relief, and Economic Security (“CARES”) Act, PL 116-136, for
20 approximately 2,436,853 initial unemployment claims. This amounts to an increase of over
21 860% of the initial unemployment claims for the same period one year ago. Since the COVID-
22

DECLARATION OF
KRISTIN A. RICHARDS

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
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1 19 pandemic began in March 2020, IDES has seen a significant surge in applications for
2 unemployment, and we anticipate that number to continue to increase.

3 5. Prompt mail service is necessary for the effective and efficient administration of
4 unemployment benefits. Otherwise, our recipients will experience significant delays to their
5 detriment. For example, the notices we mail trigger a number of rights for both claimants and
6 employers that run on a tight timeline for receiving and appealing services that are awarded or
7 denied. Employers have 10 days from the date a Notice to Chargeable Employer is mailed out
8 by IDES to protest a claim. 56 Ill. Admin. Code 2720.130(a). Following a determination or
9 decision granting or denying benefits, the right to appeal is lost after 30 days once the
10 determination or decision is mailed by the agency. 820 ILCS 405/800.

11 6. Furthermore, parties have 35 days from the mailing of a final administrative
12 decision to file a complaint in circuit court or lose their right to judicial review. 735 ILCS 5/3-
13 103. If mail service is delayed, the recipient has a shorter amount of time to invoke their rights;
14 no time at all if the delay is long enough. This could result in claimants losing their rightful
15 benefits or employers losing the right to appeal. The law is clear that once the deadlines have
16 passed, IDES loses jurisdiction: Illinois courts reviewing these statutory time limits have
17 consistently declined to insert jurisdictional exemptions into the Act. *See Thompson v IDES*,
18 399 Ill. App. 3d 393, 928 N.E.2d 528 (1st Dist. 2010).

19 7. Even when the COVID-19 pandemic eventually subsides, IDES will still be
20 required to serve a significant population. In the years immediately prior to the pandemic,
21 IDES received an average of 490,000 initial unemployment claims per year. Any purported
22

DECLARATION OF
KRISTIN A. RICHARDS

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1 future changes to USPS operations would still cause significant disruptions to benefit
2 recipients and employers.

3 8. While direct deposit is available, a significant number of claimants voluntarily
4 choose to rely on a debit card to collect their benefits, which is an option that they are permitted
5 to do. 56 Ill. Admin. Code 2720.11. This debit card is mailed to the claimant. Aside from the
6 postal service, no other viable method exists to send debit cards to these particular constituents.
7 Private delivery or courier services are simply cost-prohibitive. As a result, IDES (working
8 through its subcontractor) relies heavily upon USPS to ensure the timely and efficient delivery
9 of debit benefit cards to qualified recipients.

10 9. Fundamentally, delays in mail service can impact the ability of individuals and
11 households who are suffering from unemployment to meet their basic needs. Delays could
12 cause significant and unavoidable suffering and financial insecurity for both individuals and
13 employers. Individuals may be forced to make impossible decisions, like accruing debt they
14 cannot afford, or forfeiting basic necessities like housing, food, and medication simply because
15 they have not received their benefits on time.

16 **I declare under penalty of perjury under the laws of the State of Washington and**
17 **Illinois and the United States that the foregoing is true and correct.**

18 DATED this 4th day of September 2020, at Chicago, Illinois.

19 

20 KRISTIN A. RICHARDS
21 Acting Director
22 Illinois Department of Employment Security

DECLARATION OF
KRISTIN A. RICHARDS

ATTORNEY GENERAL OF WASHINGTON
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Exhibit 33

1 ROBERT W. FERGUSON
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2 NOAH GUZZO PURCELL, WSBA #43492
Solicitor General
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4 ANDREW R.W. HUGHES, WSBA #49515
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10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
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NO. 1:20-cv-03127-SAB

DECLARATION OF ROBERT
ROCK IN SUPPORT OF
PLAINTIFF STATES' MOTION
FOR PRELIMINARY
INJUNCTION

DECLARATION OF ROBERT
ROCK

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, Robert Rock, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. I am the Director of Elections for the Rhode Island Department of
5 State.

6 3. In this role, my responsibilities include overseeing the mail ballot
7 process including ensuring all mail ballot voters receive their mail ballots so they
8 can vote and send their ballot back in time to be counted.

9 4. The Rhode Island Department of State, together with the Rhode
10 Island Board of Elections, has broad responsibility over the administration of
11 elections in the State.

12 5. Rhode Island voters can vote by mail for any of the reasons
13 enumerated in R.I. Gen. Laws § 17-20-2, including when any voter “may not be
14 able to vote at his or her polling place in his or her city or town on the day of the
15 election.” Thus, after completing a mail ballot application, any registered Rhode
16 Island voter may vote by mail during the COVID-19 pandemic.

17 6. Due to the impact of the COVID-19 pandemic on voting in Rhode
18 Island, I anticipate that a significant number of ballots cast in the 2020 September
19 primary and November general election will be mail ballots.
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DECLARATION OF ROBERT
ROCK

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
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1 7. Due to the impact of the COVID-19 pandemic on voting in Rhode
2 Island, the majority of ballots cast in the June 2020 Presidential Preference
3 Primary were mail ballots.

4 8. An analysis by the Rhode Island Department of State of voters who
5 submitted mail ballots in Rhode Island's June 2020 Presidential Preference
6 Primary, conducted in the midst of the COVID-19 pandemic, concluded that
7 many Rhode Islanders who voted by mail were senior citizens.

8 9. In order to receive a mail ballot, a Rhode Island voter must fill out a
9 mail ballot application and send or deliver it to the appropriate state or local
10 official; depending on the election, Boards of Canvassers of Rhode Island's
11 thirty-nine cities and towns, or the state, will receive mail ballot applications.

12 10. Beginning the week of September 7, 2020, the Rhode Island
13 Department of State intends to send each active, eligible voter in Rhode Island a
14 mail ballot application for the November 2020 general election.

15 11. For the September 2020 primary election, mail ballot applications
16 must be received by the Boards of Canvassers by Tuesday, August 18, 2020, at
17 4:00 PM EST in order for the voter to be eligible to receive a mail ballot.

18 12. For the November 2020 general election, mail ballot applications
19 must be received by the Local Boards of Canvassers or the state no later than
20 Tuesday, October 13, 2020, at 4:00 PM EST in order for the voter to be eligible
21 to receive a mail ballot.
22

DECLARATION OF ROBERT
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Complex Litigation Division
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1 13. Upon receipt by a Board of Canvassers or the state, mail ballot
2 application authentication is undertaken by the Board of Canvassers. Not later
3 than 4:00 p.m. EST on the eighteenth (18th) day before the date of any election,
4 or within seven (7) days of receipt by the local board, whichever occurs first, the
5 Board of Canvassers must either certify or reject a mail ballot application. *See*
6 R.I. Gen. Laws § 17-20-10(c). At the culmination of the authentication process,
7 which includes an analysis to verify the authenticity of the voter's signature on
8 the mail ballot application, the mail ballot may be rejected or approved. If there
9 is a ballot application deficiency, the Board of Canvassers should mail a notice
10 of deficiency to the applicant (or otherwise contact the applicant) and provide the
11 applicant an opportunity to cure the deficiency. If the mail ballot application is
12 approved, a Board of Canvassers should certify the mail ballot application and
13 input the voter's information into Rhode Island's Central Voter Registration
14 System. Inputting the voter's mail ballot information into the Central Voter
15 Registration System triggers the Rhode Island Department of State's mail ballot
16 vendor ("the vendor") to send a mail ballot to the voter.

17 14. The Department of State's mail ballot vendor is located in Everett,
18 Washington.

19 15. Each day that the Boards of Canvassers certify mail ballot
20 applications, the vendor receives a list of all voters whose mail ballot applications
21 have been approved that day. The vendor mails via First-Class Mail, mail ballots
22

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1 to these voters on a rolling basis no later than two days after receipt of the list of
2 approved mail ballot applications.

3 16. The vendor prints all mail ballots for Rhode Island voters at its
4 headquarters in Everett, Washington. The vendor then sends the mail ballots to
5 all Rhode Island voters using the Seattle, Washington mail processing facility.
6 The mail ballots are then typically delivered to Boston, Massachusetts and then
7 trucked to a Rhode Island mail processing facility.

8 17. While a large majority of Rhode Island mail ballots will be sent by
9 the vendor to Rhode Islanders at their homes in Rhode Island, some Rhode
10 Islanders are expected to request that mail ballots be sent to temporary addresses
11 outside of Rhode Island due to temporarily residing in such a state. For example,
12 certain out-of-state college students and members of the Armed Forces may
13 request their mail ballots be sent to temporary addresses outside of Rhode Island.

14 18. Upon receipt of a mail ballot, a Rhode Island voter fills out the mail
15 ballot, places the mail ballot in an oath envelope, signs the oath envelope to
16 authenticate the ballot, and places the signed oath envelope in a pre-paid postage
17 envelope.

18 19. The pre-paid postage on the mail ballot envelopes is United States
19 Postal Service First-Class Mail.

20 20. The voter may then deposit the mail ballot envelope in one of a
21 limited number of secure ballot drop boxes in Rhode Island, or in a mail box
22

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1 either in Rhode Island or outside the State if the voter is temporarily residing
2 outside of Rhode Island.

3 21. According to Rhode Island law, mail ballots must be *received* by the
4 Rhode Island Board of Elections by 8:00 PM EST on Election Day in order to be
5 counted. R.I. Gen. Laws § 17-20-8.

6 22. In order for a person's mail ballot to count, therefore, Rhode Island's
7 mail balloting process is statutorily dependent upon the timely processing and
8 receipt of mail ballots by the United States Postal Service.

9 23. In Rhode Island's 2020 Presidential Preference Primary election,
10 many postal workers in Rhode Island went above and beyond their job duties to
11 ensure that all timely posted ballots were delivered to the Rhode Island Board of
12 Elections on time, which was a challenge given the much higher than usual
13 volume of mailed ballots. For example, 38,662 people voted in the 2004
14 Presidential Preference Primary, and 23,200 people voted in the 2012
15 Presidential Preference Primary – the two most recent Rhode Island Presidential
16 Preference Primaries that also featured an incumbent president of one major party
17 and an ongoing primary for the other party. See
18 [https://elections.ri.gov/publications/Election_Publications/Countbooks/2004%20](https://elections.ri.gov/publications/Election_Publications/Countbooks/2004%20Count%20Book.pdf)
19 [Count%20Book.pdf](https://elections.ri.gov/publications/Election_Publications/Countbooks/2004%20Count%20Book.pdf) and
20 [https://elections.ri.gov/publications/Election_Publications/Countbooks/2012%20](https://elections.ri.gov/publications/Election_Publications/Countbooks/2012%20Countbook%20Official.pdf)
21 [Countbook%20Official.pdf](https://elections.ri.gov/publications/Election_Publications/Countbooks/2012%20Countbook%20Official.pdf). By comparison, 125,991 voted in the 2020
22

DECLARATION OF ROBERT
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1 Presidential Preference Primary, with 104,542 of those voters voting by mail
2 ballots. *See*

3 https://www.ri.gov/election/results/2020/presidential_preference_primary.

4 24. Considering the volume of expected mail ballots for the September
5 primary and the November general election, any changes instituted by the USPS
6 that slow the delivery of mail may threaten to delay the delivery of mail ballot
7 applications and mail ballots in a timely manner.

8 25. I also expect, with the likelihood of a high turnout and heavy
9 reliance on voting by mail for this impending election, that any United States
10 Postal Service disruptions could threaten to disenfranchise voters and
11 additionally could compromise the integrity of election results if the delivery of
12 ballots are delayed such that they will not be counted.

13 26. Finally, because Rhode Island voters are expected to vote by mail
14 from outside of Rhode Island, any United States Postal Service delays in
15 jurisdictions outside of Rhode Island may disenfranchise Rhode Islanders
16 temporarily living out of the state and threaten to impede Rhode Island's efforts
17 to timely and efficiently count mail ballots.

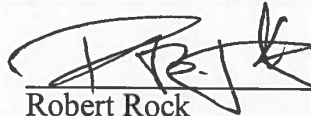
18 27. Thus any changes instituted by United States Postal Service that
19 slow mail delivery could have the potential to negatively impact Rhode Island's
20 upcoming 2020 primary and general elections by making voting by mail less
21 timely and reliable.

22
DECLARATION OF ROBERT
ROCK

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
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(206) 464-7744

1 28. I declare under penalty of perjury under the laws of the State of
2 Washington and the United States that the foregoing is true and correct.

3 DATED this 5th day of September, 2020, at Providence, Rhode Island.

4 

5 Robert Rock
6 Director of Elections
7 Rhode Island Department of State
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DECLARATION OF ROBERT
ROCK

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
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Exhibit 34

1 ROBERT W. FERGUSON
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Solicitor General
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KRISTIN BENESKI, WSBA #45478
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5 *Assistant Attorneys General*
EMMA GRUNBERG, WSBA #54659
6 TERA M. HEINTZ, WSBA #54921
(*application for admission forthcoming*)
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10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
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NO. 1:20-cv-03127-SAB

DECLARATION OF
RANDALL ROSENBAUM IN
SUPPORT OF PLAINTIFF
STATES' MOTION FOR
PRELIMINARY INJUNCTION

DECLARATION OF RANDALL
ROSENBAUM

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, Randall Rosenbaum, declare as follows:

- 2 1. I am over the age of 18, am competent to testify as to the matters herein,
3 and make this declaration based on my personal knowledge.
- 4 2. I am a resident of Rhode Island, residing at 108 Boyce Avenue, Pawtucket,
5 Rhode Island, 02861-2818.
- 6 3. I am a subscriber to the United States Postal Service (“USPS”) Informed
7 Delivery program.
- 8 4. USPS Informed Delivery scans the exterior of mail that is going to be
9 delivered to me soon and emails me a digital preview.
- 10 5. Since I began to subscribe to Informed Delivery approximately one year
11 ago, the emails regularly displayed images of mail that would be delivered
12 later on the same day I received the email.
- 13 6. For example, at approximately 7:30 AM I would typically receive an email
14 displaying images of one to eight pieces of mail, and USPS would typically
15 deliver all of those items of mail on the same day.
- 16 7. Sometime between the beginning and middle of July 2020, I noticed that
17 items appearing in my daily email would frequently not be delivered on
18 that day. Instead, some items of mail would frequently arrive one or two
19 days after they appeared in my email through the Informed Delivery
20 service.
- 21 8. I began to notice that one or several items from the daily emails would not
22 appear in my mailbox that day, but appear the next day, or even two days
23 later.
- 24 9. On rare occasions, an item would not be delivered until three days later.

DECLARATION OF RANDALL
ROSENBAUM

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
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1 10.I began to document the decline in this service, and ran two tests during
2 “control periods,” where I compared the percentage of items carried over
3 from one day to the next.

4 11.The first control period is the period of June 8, 2020 through June 20, 2020.
5 The second is from August 10, 2020 through August 20, 2020.

6 12.From June 8, 2020 through June 20, 2020, I was scheduled to receive 34
7 pieces of mail in total, and 3 pieces did not arrive until the following day.
8 Thus 9% of my mail was not delivered on the day that it was scanned and
9 emailed to me.

10 13.From August 10, 2020 through August 20, 2020, I was scheduled to
11 receive 55 pieces of mail. 16 pieces did not arrive until the following day
12 or later. Thus 29% of my mail was not delivered on the day that it was
13 scanned and emailed to me.

14 14.Based upon my experience with the Informed Delivery program, I believe
15 that USPS service has substantially declined since approximately July
16 2020 and resulted in slowed delivery of mail.

17 15.I declare under penalty of perjury under the laws of the State of Rhode
18 Island and the United States that the foregoing is true and correct.

19 DATED this 7th day of September, 2020, at Pawtucket, Rhode Island.
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Randall Rosenbaum

DECLARATION OF RANDALL
ROSENBAUM

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
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Exhibit 35

1 ROBERT W. FERGUSON
Attorney General
2 NOAH GUZZO PURCELL, WSBA #43492
Solicitor General
3 NATHAN K. BAYS, WSBA #43025
KRISTIN BENESKI, WSBA #45478
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5 *Assistant Attorneys General*
EMMA GRUNBERG, WSBA #54659
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10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
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NO. 1:20-cv-03127-SAB

DECLARATION OF KATHIE
RUMBLEY IN SUPPORT OF
PLAINTIFF STATES' MOTION
FOR PRELIMINARY
INJUNCTION

DECLARATION OF KATHIE
RUMBLEY

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, Kathie Rumbley, declare as follows:

2 1. I am a resident of Parkville, Maryland and have lived in the same
3 location for 41 years. I worked 30 years and retired from Maryland Public
4 Television as Special Events Manager, worked as an Administrator for Johns
5 Hopkins School for Public Health and as Executive Secretary at CareFirst Blue
6 Cross/Blue Shield.

7 2. I am aware that the Postmaster General of the United States has
8 made policy changes that have affected postal service, and I am further aware
9 that the State of Maryland and other states have filed this lawsuit challenging
10 those policy changes.

11 3. We live in Parkville and are experiencing postal service issues. I
12 come from a background of postal letter carriers. My husband retired from the
13 Towson Branch, as did his father. We know how the mail should be delivered
14 and how it's managed. What we're experiencing is out of the ordinary.

15 4. Our family has been enrolled in Informed Delivery from the USPS
16 for many years. We are able to view what mail is scheduled to be delivered each
17 day. Many days we have not received the mail we should until at least three days
18 later or in some instances, never. Some of this mail was important like bills,
19 which I had to call and get re-sent. Since June, we have regularly not received
20 any mail for three days or more. Recently, I was to receive a package that was
21 sent on July 9 from New York. The tracking info showed that it was sitting in
22

DECLARATION OF KATHIE
RUMBLEY

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 the Parkville Post Office for over three weeks Office until it was finally delivered
2 on July 31.

3 5. Most disturbingly, on August 5 I received an Informed Delivery
4 Notice indicating that I was going to be delivered Official Election Mail, marked
5 First Class. I did not receive it until August 14.

6 I declare under penalty of perjury under the laws of the State of
7 Washington and the United States that the foregoing is true and correct.

8 DATED this 4th day of September, 2020, at Ocean City, Maryland.

9 

10 KATHIE RUMBLEY

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DECLARATION OF KATHIE
RUMBLEY

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
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Exhibit 36

1 ROBERT W. FERGUSON
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10 **UNITED STATES DISTRICT COURT**
11 **EASTERN DISTRICT OF WASHINGTON**
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13 STATE OF WASHINGTON, et
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14 Plaintiffs,

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16 DONALD J. TRUMP, et al.,

17 Defendants.
18

NO. 1:20-cv-03127-SAB

DECLARATION OF STEVE
SIMON IN SUPPORT OF
PLAINTIFF STATES' MOTION
FOR PRELIMINARY
INJUNCTION

19 I, Steve Simon, declare as follows:

20 1. I am over the age of 18, am competent to testify as to the matters
21 herein, and make this declaration based on my personal knowledge and on my
22

DECLARATION OF
STEVE SIMON

1

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 review of data and documents maintained by the Minnesota Office of Secretary of
2 State during the course of everyday business.

3 2. I am the twenty-second and current Secretary of State of the Plaintiff
4 State of Minnesota. I was elected to this office in 2014 and began my term in office
5 in January 2015.

6 3. Prior to my election as Secretary of State, I was a member of the
7 Minnesota House of Representatives for ten years, and I chaired the Elections
8 Committee in that body for part of my tenure.

9 4. Based on my experience as Secretary of State and as a legislator, I am
10 familiar with all of the details of elections, including the mechanics of both
11 absentee and mail balloting as practiced in Minnesota, and have sponsored and
12 successfully enacted legislation regarding these matters, including a statutory
13 change that expanded Minnesotans' opportunities to use absentee balloting by
14 eliminating the requirement that voters may request an absentee ballot only if they
15 cannot vote in person for one of a specified list of reasons.

16 5. Minnesota law provides for both absentee balloting and mail
17 balloting. Absentee balloting provides a mechanism for voting without traveling to
18 a polling place on election day. Mail balloting is a separate system that is available
19 as an option to municipalities in particular rural areas as specified by state law.

DECLARATION OF
STEVE SIMON

2

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 Elections in municipalities choosing the mail balloting option are conducted
2 entirely by mail, with no local polling places available for voters to cast ballots.

3 6. Absentee and mail voting have always been safe, secure, and efficient
4 processes that have reliably worked in this state. Minnesota is one of the states that
5 instituted absentee balloting for the benefit of soldiers who were away from their
6 state during the Civil War. Absentee balloting has been used in every election
7 conducted in Minnesota since 1862. The separate mail balloting system has been in
8 place since 1987.

9 7. Minnesota voters use absentee and mail balloting at every election.
10 According to documents that the Secretary of State's Office maintains in the usual
11 course of business, the usage levels of these procedures in recent Minnesota
12 elections have included the following:

Election	Absentee Ballots Accepted	Mail Ballots Accepted
August 2014 statewide primary	27,209	18,158
November 2014 statewide general	196,266	37,366
August 2016 statewide primary	23,050	18,435
November 2016 statewide general	616,309	60,160
August 2018 statewide primary	103,023	40,952

DECLARATION OF
STEVE SIMON

3

ATTORNEY GENERAL OF WASHINGTON
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Election	Absentee Ballots Accepted	Mail Ballots Accepted
November 2018 statewide general	561,385	77,196
March 2020 presidential nominating primary	98,952	46,871
August 2020 statewide primary	462,903	80,244

8. In addition to Minnesotans' long history of using absentee and mail ballots to exercise their right to vote, the current COVID-19 health pandemic presents further challenges that may make voting in person more difficult for many voters, particularly those who are at a higher risk of contracting the virus. It is my considered expectation that, in large part as a result, a total of between 1.4 million and 1.5 million absentee and mail ballots will be cast in Minnesota's November 2020 general election. This estimate is based on the number of persons who, by the time of the August 11, 2020 primary, had already requested absentee ballots for both the primary and the general election or will be voting with mail ballots. Moreover, turnout increases substantially in Minnesota in presidential elections, and Minnesota frequently leads the nation in the percentage of voters participating in the presidential election. For example, 74.72 percent of the state's voting-age population participated in the 2016 presidential election.

9. 1,340 of Minnesota's 4,110 precincts will use mail balloting in the 2020 statewide general election. These precincts currently have a total of 217,056

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1 registered voters. There were 80,244 votes cast in these precincts in the August
2 primary, all of them by mail. It is likely that there will be substantially more votes
3 cast in the same precincts this November for the reasons discussed above.

4 10. In addition to mail and standard absentee ballots, in each general
5 election thousands of Minnesota voters use overseas and military absentee
6 balloting, which follows a slightly different process but still relies on the United
7 States Mail for delivery to election officials. For example, in the November 2016
8 general election, 11,594 of the 616,309 absentee ballots that Minnesota election
9 officials accepted and counted were submitted via the overseas and military
10 absentee balloting process.

11 11. For the vast majority of Minnesotans casting a ballot via either
12 absentee balloting or mail balloting, using these procedures requires relying on the
13 United States Postal Service to transmit a ballot. Unlike other states, Minnesota has
14 no statutory infrastructure regarding drop boxes, which reduces options for
15 mitigating postal delays for state residents seeking to return completed absentee
16 ballots.

17 12. Within Minnesota's borders are eleven federally recognized Native
18 American tribal communities, many of whose members reside on reservations
19 where reliable mail service has long been a challenge. On those reservations, more

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5

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1 than 30 percent of Native people live in poverty, a problem that has only been
2 exacerbated by the COVID-19 pandemic. This poverty is frequently accompanied
3 by health problems that increase the risk of death or severe illness from exposure
4 to the coronavirus. Registered voters on reservations are fewer, with greater
5 distances between them, and voters often lack access to transportation and the
6 internet. All of these facts make Native American voters who live on reservations
7 even more dependent on reliable mail service to submit ballots than are voters in
8 other areas.

9 13. For all of these reasons, changes to USPS procedure and machinery
10 that result in delays to the delivery of U.S. Mail risk broad and serious injury to the
11 voting rights of more than a million Minnesota voters. A large portion of the
12 Minnesota electorate could be disenfranchised by a substantial slow-down in mail
13 delivery during the fall of 2020.

14 I declare under penalty of perjury under the laws of the States of Washington
15 and Minnesota and the United States that the foregoing is true and correct.

16 Dated: August 18, 2020



STEVE SIMON

17
18
DECLARATION OF
STEVE SIMON

Exhibit 37

1 ROBERT W. FERGUSON
Attorney General
2 NOAH GUZZO PURCELL, WSBA #43492
Solicitor General
3 NATHAN K. BAYS, WSBA #43025
KRISTIN BENESKI, WSBA #45478
4 ANDREW R.W. HUGHES, WSBA #49515
CRISTINA SEPE, WSBA #53609
5 *Assistant Attorneys General*
EMMA GRUNBERG, WSBA #54659
6 TERA M. HEINTZ, WSBA #54921
(application for admission forthcoming)
7 KARL D. SMITH, WSBA #41988
Deputy Solicitors General
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Seattle, WA 98104
9 (206) 464-7744

10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
18
19
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21
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NO. 1:20-cv-03127-SAB

DECLARATION OF WADE
STEMBRIDGE IN SUPPORT
OF PLAINTIFF STATES'
MOTION FOR PRELIMINARY
INJUNCTION

1 I, Wade Stenbridge, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 described, and make this declaration based on my personal knowledge.

4 2. I have run a small gourmet chocolate business, Coco Gusto
5 Chocolates, in Denver, Colorado, for the last three years. Coco Gusto specializes
6 in high-quality, hand-painted chocolates. More information about the chocolates
7 and the business can be seen at coco-gusto.com.

8 3. About 80 percent of my orders are sent out-of-state.

9 4. I usually use the United States Postal Service to ship my orders
10 because it is the most economical option.

11 5. I began noticing delays to my shipments beginning in mid-May.

12 6. Before these delays, I typically did not have any problems shipping
13 chocolate in the summer.

14 7. My shipments to out-of-state customers generally used to arrive in
15 1-3 days when sent by Regular Priority Mail.

16 8. Recently, shipments to out-of-state customers generally take 3-6
17 days when sent by Regular Priority Mail.

18 9. As a result of this delay, my chocolates often arrive melted, ruining
19 my chocolates.

20 10. To keep my customers satisfied and ensure that my chocolates meet
21 the standards of my business, I have had to resend orders using Priority Express
22

DECLARATION OF WADE
STEMBRIDGE

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ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 Mail. Resending orders requires me to remake the chocolates and pay a \$40-\$50
2 fee for Priority Express Mail.

3 11. One replacement order that I sent to San Francisco via Priority
4 Express Mail took 6 days to arrive.

5 12. These delays have changed how I conduct my business. I have
6 stopped advertising for out-of-state orders on social media because I am
7 concerned that these orders will arrive melted. I believe I have lost sales because
8 of this reduction in advertising. I have had to purchase bigger icepacks to keep
9 the chocolates from melting when I ship them in the mail. I used to ship orders
10 every day of the week but now I only ship orders on Monday to give them the
11 best chance of arriving by Friday or Saturday.

12 I declare under penalty of perjury that the foregoing is true and correct.

13 DATED this 30th day of August, 2020, at Denver, Colorado.

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WADE STEMBRIDGE

DECLARATION OF WADE
STEMBRIDGE

Exhibit 38

1 ROBERT W. FERGUSON
Attorney General
2 NOAH GUZZO PURCELL, WSBA #43492
Solicitor General
3 NATHAN K. BAYS, WSBA #43025
KRISTIN BENESKI, WSBA #45478
4 ANDREW R.W. HUGHES, WSBA #49515
CRISTINA SEPE, WSBA #53609
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EMMA GRUNBERG, WSBA #54659
6 TERA M. HEINTZ, WSBA #54921
(*application for admission forthcoming*)
7 KARL D. SMITH, WSBA #41988
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Seattle, WA 98104
9 (206) 464-7744

10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
18
19
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21
22

NO. 1:20-cv-03127-SAB

DECLARATION OF ELICE
STURDIVANT IN SUPPORT
OF PLAINTIFF STATES'
MOTION FOR PRELIMINARY
INJUNCTION

DECLARATION OF ELICE
STURDIVANT

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, Elice Sturdivant, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. I am a resident of the state of Maryland, having lived in Baltimore
5 City for sixteen years. I am employed as an attorney at a law firm in Baltimore
6 County.

7 3. I am aware that the Postmaster General of the United States has
8 made policy changes that have affected postal service, and I am further aware
9 that the State of Maryland and other states have filed this lawsuit challenging
10 those policy changes.

11 4. I take a medication daily for a thyroid disease, and I rely on the
12 USPS to deliver that medication to me through the mail. Normally it takes 2 to
13 3 days to get my medications. My last refill took over 30 days to get to me,
14 meaning that I was out of my needed medication for several weeks. I also had to
15 go back to my doctor and ask for a new prescription, which my insurance would
16 not pay for since they had already paid for the medication the first time. This
17 delay has caused me to experience illness and fatigue, which I am still fighting
18 as I build up the medication in my system. Without my medication, it is difficult
19 to work and complete the daily tasks needed to function. As an essential
20 employee, it is not acceptable to call out or have a bad day. If I don't have
21 dependable access to the mail, I will have to expose myself and my family to an
22

DECLARATION OF ELICE
STURDIVANT

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 unnecessary risk of infection to pick up my medication in person or wait and hope
2 for the best with the mail.

3 I declare under penalty of perjury that the foregoing is true and correct.

4 DATED this 20 day of August, 2020, at Baltimore, Maryland.

5 
6 _____
ELICE STURDIVANT, ESQ.

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DECLARATION OF ELICE
STURDIVANT

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
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Exhibit 39

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2 NOAH GUZZO PURCELL, WSBA #43492
Solicitor General
3 NATHAN K. BAYS, WSBA #43025
KRISTIN BENESKI, WSBA #45478
4 ANDREW R.W. HUGHES, WSBA #49515
CRISTINA SEPE, WSBA #53609
5 *Assistant Attorneys General*
EMMA GRUNBERG, WSBA #54659
6 TERA M. HEINTZ, WSBA #54921
(application for admission forthcoming)
7 KARL D. SMITH, WSBA #41988
Deputy Solicitors General
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9 (206) 464-7744

10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
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NO. 1:20-cv-03127-SAB

DECLARATION OF LYNNE
THOMAS IN SUPPORT OF
PLAINTIFF STATES' MOTION
FOR PRELIMINARY
INJUNCTION

DECLARATION OF
LYNNE THOMAS

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, LYNNE THOMAS, declare:

2 1. I am a resident of the State of Illinois. I am over the age of 18 and
3 make this declaration from personal knowledge and based on records from the
4 Illinois Department of Healthcare and Family Services. If called as a witness, I
5 could and would testify competently to all the matters set forth below.

6 2. I am the Deputy Administrator for Eligibility Policy of the Division
7 of Medical Programs within the Illinois Department of Healthcare and Family
8 Services. I oversee the areas of the agency that develop, revise, and review
9 medical eligibility policy, process applications, and maintain medical eligibility
10 and test for medical eligibility integrity. I have held this position since
11 December 1, 2017.

12 3. The Division of Medical Programs (the "Division") administers the
13 Illinois Medical Assistance program and, in conjunction with the federal
14 government, funds medical services provided to approximately 25% of the
15 state's population through Medicaid, Children's Health Insurance Program
16 ("CHIP"), and other associated medical programs covering children, parents,
17 pregnant women, veterans, seniors, adults and persons who are blind or have
18 disabilities.

19 4. As of August 1, 2020, the Division was administering benefits for
20 approximately 3 million beneficiaries through these programs.
21
22

DECLARATION OF
LYNNE THOMAS

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 5. The Division's primary method of communication with these
2 individuals and households is through mail delivered by the United States
3 Postal Service ("USPS").

4 6. Applicants have reported that they have not received requests for
5 additional information on pending applications until after the due date has
6 passed. Late delivery could result in the denial of an application.

7 7. Prompt mail service is necessary for the administration of programs
8 because the Division and benefit recipients must comply with specific statutory
9 and regulatory deadlines and requirements that are not negotiable. For example,
10 individuals may be eligible for up to three months of backdating prior to the
11 month of application for Medicaid services. That means an application
12 received by mail on July 31 could result in coverage beginning on April 1.
13 However, if the postal service delays the delivery of an application and it is
14 received on August 1, the beneficiary could only receive coverage beginning
15 May 1. In addition, an active medical case, including Medicaid and CHIP,
16 could be canceled if an annual renewal form or request for information is
17 received by mail after the due date.

18 8. While the coverage can be reinstated, there could be a disruption to
19 necessary medical services. The state is not currently canceling coverage due to
20 the provision of the federal Families First Corona Virus Response Act, but
21 future disruptions will occur once the public health emergency has ended.
22

DECLARATION OF
LYNNE THOMAS

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
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1 9. Accordingly, delays in mail may include, but are not limited to the
2 following repercussions to Illinois residents served by Medicaid, CHIP, and
3 related medical programs which would include children, seniors, disabled
4 individuals, families, pregnant women, and other eligible adults:

- 5 a. A delay in a customer's receipt of a request for information
6 or notice of redetermination, possibly past the due date,
7 could cause a delay or break in medical coverage.
8 b. A delay in the agency's receipt of information needed to
9 make an eligibility determination could result in a delay or
10 break in coverage.
11 c. A delay in a customer's receipt of the notice of decision on
12 an application which could lead to a delay of necessary
13 medical services.
14 d. A delay in the agency's receipt of an application could result
15 in a loss of a month's medical coverage for the customer.

16 10. Aside from the postal service, no other viable form of communication
17 exists to contact the Division's benefit recipients. For example, electronic mail
18 or use of a website is available but not feasible for many of our constituents
19 who do not have regular or reliable access to the Internet. In addition, private
20 delivery or courier services are cost-prohibitive. As a result, the Division relies
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DECLARATION OF
LYNNE THOMAS


ATTORNEY GENERAL OF WASHINGTON
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1 heavily upon USPS and developed its method to distribute benefits in reliance
2 on timely, efficient mail delivery.

3 11. Moreover, these delays may impact the ability of low income
4 households to meet their basic medical needs if they need to use their own
5 funds to pay for necessary medical care. Delays could also cause individuals to
6 incur significant amounts of private debt if they are disqualified from receiving
7 government funded healthcare benefits due to a delay in receipt of documents in
8 the mail. Individuals disqualified from receiving Medicaid due to the delays in
9 postal service would likely forgo seeking necessary medical treatments.

10 **I declare under penalty of perjury under the laws of the State of**
11 **Washington and Illinois and the United States that the foregoing is true**
12 **and correct.**

13
14 DATED this 3rd day of September, 2020, at Springfield, Illinois.

15
16 
17 LYNNE THOMAS
18 Deputy Administrator for Eligibility Policy
19 Illinois Department of Healthcare and
20 Family Services
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DECLARATION OF
LYNNE THOMAS

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
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Exhibit 40

1 ROBERT W. FERGUSON
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KRISTIN BENESKI, WSBA #45478
4 ANDREW R.W. HUGHES, WSBA #49515
CRISTINA SEPE, WSBA #53609
5 *Assistant Attorneys General*
EMMA GRUNBERG, WSBA #54659
6 TERA M. HEINTZ, WSBA #54921
(application for admission forthcoming)
7 KARL D. SMITH, WSBA #41988
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10 **UNITED STATES DISTRICT COURT**
11 **EASTERN DISTRICT OF WASHINGTON**
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.

NO. 1:20-cv-03127-SAB

DECLARATION OF ROBIN
THOMAS IN SUPPORT OF
PLAINTIFF STATES' MOTION
FOR PRELIMINARY INJUNCTION

20
21
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DECLARATION OF
ROBIN THOMAS
NO. 1:20-CV-03127-SAB

1

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, Robin Thomas, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. I am a long-time resident of Bellingham, Washington, and a long-
5 time voter. I have voted in various elections for over thirty-five years.

6 3. I am currently in Maine and received my ballot on or around August
7 1, 2020. I mailed back my completed ballot on August 3rd with the understanding
8 that my vote would still count because, in Washington, ballots that are
9 postmarked on or before election day and received before certification are
10 counted.

11 4. Because I am currently in Maine, I was not able to drop off my ballot
12 at a ballot drop-off box. But I trusted that the Postal Service would postmark and
13 deliver my ballot in a timely and consistent way.

14 5. I was very disheartened to learn that my ballot for Washington's
15 August 4, 2020 primary was rejected because it was incorrectly postmarked. It
16 also reached my County Auditor well outside of the service standard set for First
17 Class Mail.

18 6. After mailing my ballot, I read news reports that more than 1,000
19 ballots in the August 4 primary were rejected by Whatcom County elections
20 officials because they were postmarked too late or the signature on the ballot did
21 not match the signature on voter registration forms.
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DECLARATION OF
ROBIN THOMAS
NO. 1:20-CV-03127-SAB

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ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
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1 7. These news reports prompted me to look up and track my ballot. I
2 saw, through the ballot tracking option on the Secretary of State's website, that
3 the status of my ballot was "TOO LATE." The website further listed August 12
4 as the ballot returned date. This means it took nine days for my ballot to arrive.

5 8. On August 20, I sent an email to my County Auditor, Diana
6 Bradrick, to express my deep disappointment in my vote not being counted and
7 my concern about mail delays that would affect the times of how ballots are
8 processed and delivered.

9 9. The County Auditor responded by email and attached a scanned
10 copy of my ballot envelope. The scan showed that my ballot was not postmarked
11 in Maine; it was not postmarked until it reached Bellingham, WA on August 10,
12 2020. Attached as **Exhibit A** is a copy of the scanned ballot envelope.

13 10. The County Auditor also confirmed that if my ballot was
14 postmarked on or before August 4 and received the day before county canvassing
15 boards certify and transmit results of the August Primary, then my ballot would
16 have been processed.


17 11. My ballot should have been, but was not, postmarked when I mailed
18 it on August 3rd.

19 12. I am also concerned that the service was exceptionally slow. It took
20 nine days for the Postal Service to deliver my ballot to the County Auditor. I
21 understand that the delivery standard for First Class Mail is 1-3 business days,
22

1 and my experience for mail between Washington State and Maine been about
2 four days.

3 I declare under penalty of perjury under the laws of the United States that
4 the foregoing is true and correct.

5
6 DATED this 3 day of September, 2020, at Harrison, Maine.

7 
8 _____
Robin Thomas

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DECLARATION OF
ROBIN THOMAS
NO. 1:20-CV-03127-SAB

4

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
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Seattle, WA 98104-3188
(206) 464-7744

R. Thomas Declaration
Exhibit A

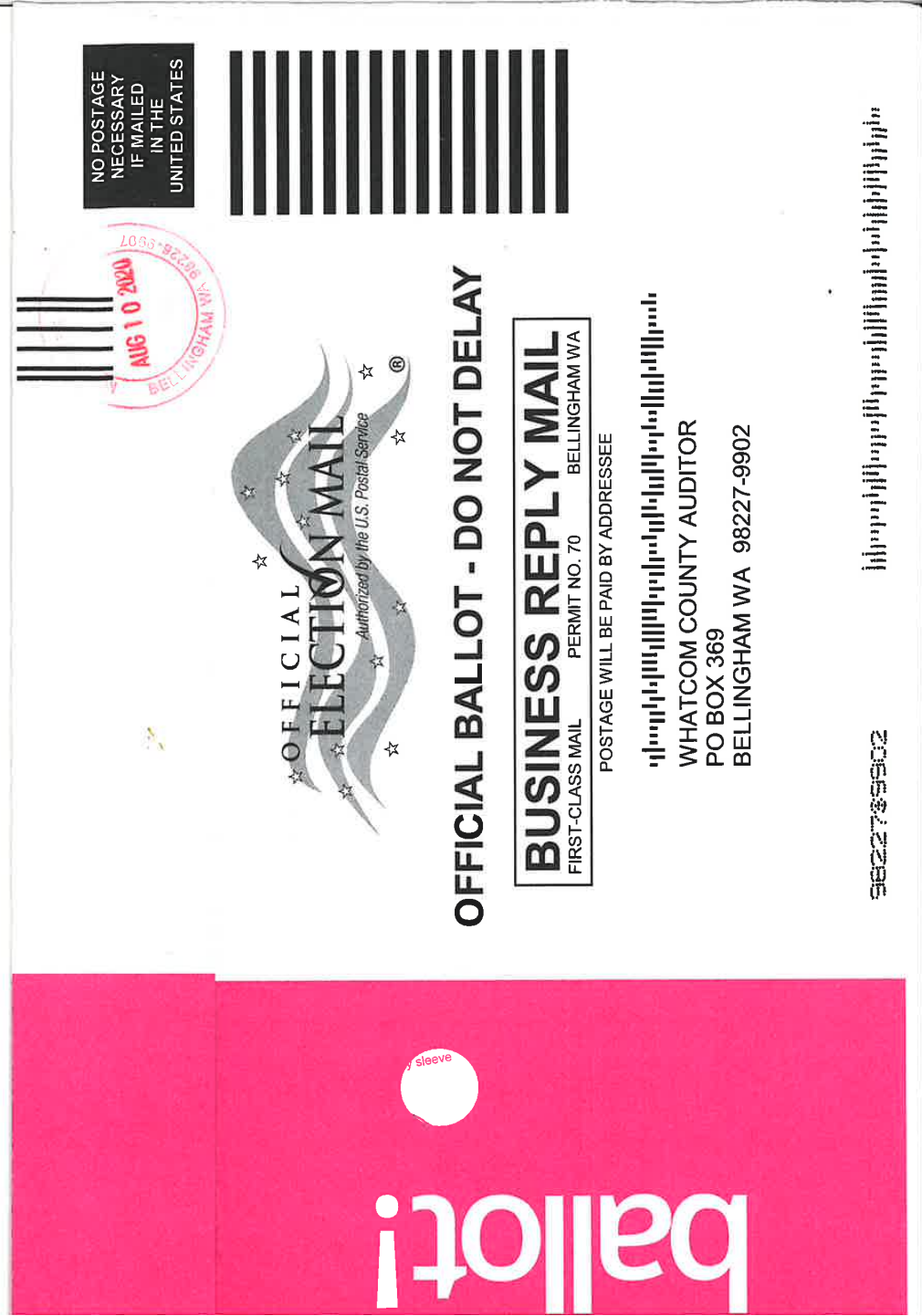


Exhibit 41

1 ROBERT W. FERGUSON
Attorney General
2 NOAH GUZZO PURCELL, WSBA #43492
Solicitor General
3 NATHAN K. BAYS, WSBA #43025
4 KRISTIN BENESKI, WSBA #45478
ANDREW R.W. HUGHES, WSBA #49515
5 CRISTINA SEPE, WSBA #53609
Assistant Attorneys General
EMMA GRUNBERG, WSBA #54659
6 TERA M. HEINTZ, WSBA #54921
(application for admission forthcoming)
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Seattle, WA 98104
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10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
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NO. 1:20-cv-03127-SAB

DECLARATION OF NICOLE
TOUSIGNANT IN SUPPORT
OF PLAINTIFF STATES'
MOTION FOR PRELIMINARY
INJUNCTION

DECLARATION OF NICOLE
TOUSIGNANT
NO. 1:20-CV-03127-SAB

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, Nicole Tousignant, declare:

2 1. I am a resident of the State of Vermont. I am over the age of 18 and have personal
3 knowledge of all the facts stated herein. If called as a witness, I could and would testify
4 competently to all the matters set forth below.

5 2. I am the Senior Policy and Operations Manager of the Vermont Department for
6 Children and Families, Economic Services Division (ESD). I have held this position since March
7 2018. Prior to this position, I worked at the Vermont Agency of Education as the Medicaid
8 Coordinator for 11 years, and as the Special Education Finance Manager for four years.

9 3. I have a B.A. from Castleton State University.

10 4. ESD administers the following federal and state benefit programs for low income
11 households: Supplemental Nutrition Assistance Program ("SNAP"), Temporary Assistance for
12 Needy Families ("TANF") and separately and solely state-funded cash assistance programs for
13 families with children, the Low Income Home Energy Assistance Program ("LIHEAP"),
14 General/Emergency Assistance, Essential Person, Vermont Rental Subsidy (VRS), and Vermont
15 Spay and Neuter Incentive Program (VSNIIP), for the state of Vermont.

16 5. As of August 18, 2020, ESD was administering benefits for a total of 66,572 SNAP,
17 TANF (including state-funded programs), LIHEAP, General/Emergency Assistance, and
18 Essential Person households and 116 VRS households.

19 6. ESD's primary method of communication with these households is through mail
20 delivered by the United States Postal Service (USPS). In July 2020, ESD's Application and
21 Document Processing Center (ADPC), received approximately 9,000 items of mail from ESD and
22 health care applicants and recipients. To date, the ADPC has received approximately 85,000
23 items of mail. In 2019, the ADPC received approximately 200,000 items of mail.

24 7. Federal and state laws governing the programs administered by ESD impose strict
25 timelines on the processing and delivery of benefits, notification to applicants and recipients, and
26 appeals associated with public benefits. For example, ESD must provide at least 10 days advance
27

1 notice before reducing or terminating benefits. ESD depends upon the USPS to ensure timely
2 communication with the more than 60,000 households it serves.

3 8. Mail delays resulting from the proposed cuts to the postal service will impede ESD's
4 ability to timely communicate with households in need of assistance.

5 9. Mail delays resulting from the proposed cuts to the postal service will slow the
6 delivery of approximately \$12.5 million in monthly SNAP benefits, \$1.8 million in monthly
7 TANF and related state-funded program benefits, \$18 million in yearly LIHEAP benefits, \$14
8 million in monthly General/Emergency benefits, and \$77 thousand in monthly Essential Person
9 benefits, potentially impacting the ability of low income households to meet their basic needs.

10 10. Mail delays resulting from the proposed cuts to the postal service will slow the
11 delivery of more than one million dollars in rental assistance made on behalf of low income
12 Vermonters to their landlords by ESD, thus potentially impacting the stability of living
13 arrangements for more than 116 households and the ability of landlords to pay their bills.

14 11. Mail delays resulting from the proposed cuts to the postal service will slow the
15 delivery of more than \$360,000 to local veterinarians for the spaying and neutering of companion
16 animals for low income Vermonters. Delay of these payments may result in a financial hardship
17 for local veterinarians, especially those who manage small businesses.

18 I declare under penalty of perjury under the laws of the United States and the State of
19 Vermont that the foregoing is true and correct to the best of my knowledge.

20
21 Executed on August 20, 2020 in Waterbury, Vermont.

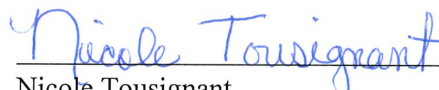
22
23 
24 Nicole Tousignant
25 ESD Senior Policy and Operations Manager
26 Department for Children and Families
27
28

Exhibit 42

1 ROBERT W. FERGUSON
Attorney General
2 NOAH GUZZO PURCELL, WSBA #43492
Solicitor General
3 NATHAN K. BAYS, WSBA #43025
KRISTIN BENESKI, WSBA #45478
4 ANDREW R.W. HUGHES, WSBA #49515
CRISTINA SEPE, WSBA #53609
5 *Assistant Attorneys General*
EMMA GRUNBERG, WSBA #54659
6 TERA M. HEINTZ, WSBA #54921
(application for admission forthcoming)
7 KARL D. SMITH, WSBA #41988
Deputy Solicitors General
8 800 Fifth Avenue, Suite 2000
Seattle, WA 98104
9 (206) 464-7744

10 **UNITED STATES DISTRICT COURT**
11 **EASTERN DISTRICT OF WASHINGTON**
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.

NO. 1:20-cv-03127-SAB

DECLARATION OF MYNOR
URIZAR-HUNTER IN SUPPORT
OF PLAINTIFF STATES' MOTION
FOR PRELIMINARY INJUNCTION

20
21
22
DECLARATION OF
MYNOR URIZAR-HUNTER
NO. 1:20-CV-03127-SAB

1

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, Mynor Urizar-Hunter, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. I am an Information Technology Consultant. I have a degree in
5 Economics from UC Berkeley.

6 3. I am one of the co-creators of <https://uspsimpact2020.com/>, a
7 website that presents visual data on sorting machines slated for removal by the
8 Postal Service. The website shows visual data and charts of sorting machine
9 removal by state and county and includes the political preferences of voters by
10 state and county.

11 4. We created this website on or around August 24, 2020, following
12 news reports of postal delays and operational changes at the Postal Service. We
13 wanted to provide the data visualization so that voters could see trends and
14 patterns within their communities. The website also directs people to other
15 resources on voting, such as information on voting prepared by the National
16 Association of Secretaries of State and mail-in voting deadlines compiled by
17 Vote.org.

18 5. We used sorting machine data that was created by the Postal Service
19 and obtained by *The Washington Post*. This sorting machine data was attached as
20 spreadsheets to a June 17, 2020 letter from the Postal Service to American Postal
21 Workers Union. The data identifies over 600 sorting machines—including
22

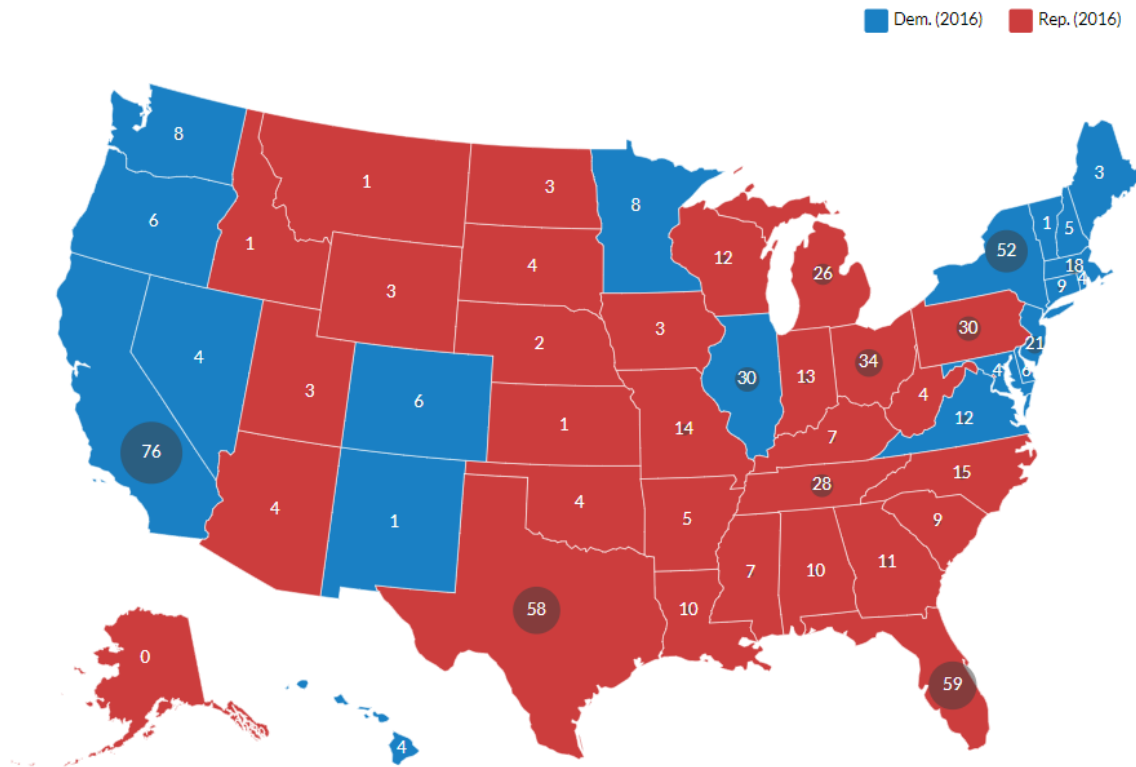
1 Advanced Facer Canceler Systems, Delivery Bar Code Sorters, and Automated
 2 Flat Sorting Machine 100s, and Flat Sequencing Systems—scheduled for
 3 removal between June 13 and September 30. The spreadsheets also identify the
 4 region, area, and processing & distribution center for each sorting machine
 5 scheduled for removal. A copy of the spreadsheets can be found at:
 6 [https://www.21cpw.com/wp-content/uploads/2020/06/mail-processing-](https://www.21cpw.com/wp-content/uploads/2020/06/mail-processing-equipment-reduction_6-17-2020.pdf)
 7 [equipment-reduction_6-17-2020.pdf](https://www.21cpw.com/wp-content/uploads/2020/06/mail-processing-equipment-reduction_6-17-2020.pdf).

8 6. The sorting machines identified for removal are scattered across 49
 9 states, the District of Columbia, and Puerto Rico. Alaska is the only state with no
 10 machines slated for removal. According to this sorting machine data, over 90%
 11 of the machines were to be disconnected by August 1.

12 7. My co-creators and I used the sorting machine data to map where
 13 sorting machines were removed or are scheduled for removal across the country
 14 by state and county.

15 8. We then added information regarding major party preferences (i.e.,
 16 Democrat or Republican) to see if there was a partisan difference in where sorting
 17 machines were removed. We used data gathered by the *N.Y. Times* in reporting
 18 the 2016 election results. This information can be accessed at:
 19 <https://www.nytimes.com/elections/2016/results/president>.

20 9. Using a data visualization tool, we are able to depict where sorting
 21 machines have been or are slated for removal.
 22



10. Based on the USPS data, 184 counties have had or will have sorting machines removed. Hillary Clinton won the majority vote in 124 (67%) of these counties. Donald Trump won the majority vote in 60 (33%) of these counties.

11. We identified 662 sorting machines slated for removal in the USPS data, with 516 (78%) located in counties where Clinton won the majority vote and 146 (22%) located in counties where Trump won the majority vote.

	Number of Counties	Percentage of Counties	Number of Sorting Machines Removed	Percentage of Sorting Machines Removed
Clinton 2016	124	67%	516	78%
Trump 2016	60	33%	146	22%
Total	184		662	

DECLARATION OF
MYNOR URIZAR-HUNTER
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12. The following chart lists the state breakdown of sorting machine removals based on the results of the 2016 presidential election:

State Breakdown based on 2016 Presidential Election Results

State	Machines Scheduled for Removal	% Removed from Democratic Counties	% Removed from Republican Counties
Alabama	10	80%	20%
Arkansas	5	80%	20%
Arizona	4	25%	75%
California	76	97%	3%
Colorado	6	100%	0%
Connecticut	9	100%	0%
Washington DC	3	100%	0%
Delaware	6	100%	0%
Florida	59	51%	49%
Georgia	11	82%	18%
Hawaii	4	100%	0%
Iowa	3	100%	0%
Idaho	1	0%	100%
Illinois	30	97%	3%
Indiana	13	62%	38%
Kansas	1	0%	100%
Kentucky	7	100%	0%
Louisiana	10	90%	10%
Massachusetts	18	89%	11%
Maryland	4	75%	25%
Maine	3	100%	0%
Michigan	26	62%	38%
Minnesota	8	100%	0%
Missouri	14	79%	21%
Mississippi	7	43%	57%
Montana	1	0%	100%
North Carolina	15	100%	0%
North Dakota	3	0%	100%
Nebraska	2	100%	0%
New Hampshire	5	0%	100%
New Jersey	21	100%	0%
New Mexico	1	100%	0%
Nevada	4	100%	0%
New York	52	90%	10%
Ohio	34	91%	9%
Oklahoma	4	0%	100%
Oregon	6	100%	0%
Pennsylvania	30	87%	13%
Rhode Island	4	100%	0%
South Carolina	9	67%	33%
South Dakota	4	0%	100%
Tennessee	28	57%	43%
Texas	58	74%	26%
Utah	3	100%	0%
Virginia	12	42%	58%
Vermont	1	100%	0%
Washington	8	75%	25%
Wisconsin	12	75%	25%
West Virginia	4	0%	100%
Wyoming	3	0%	100%

DECLARATION OF
MYNOR URIZAR-HUNTER
NO. 1:20-CV-03127-SAB

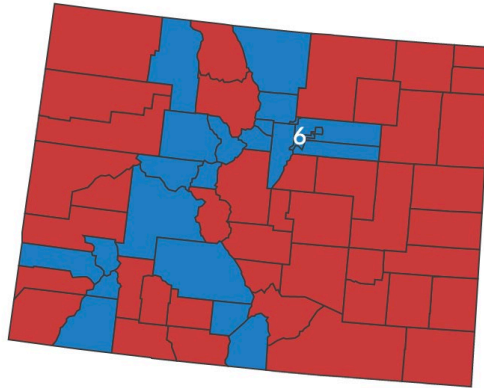
5

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
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Seattle, WA 98104-3188
(206) 464-7744

13. The following maps and charts provide the state and county breakdown of sorting machine removals for the Plaintiff States in this lawsuit

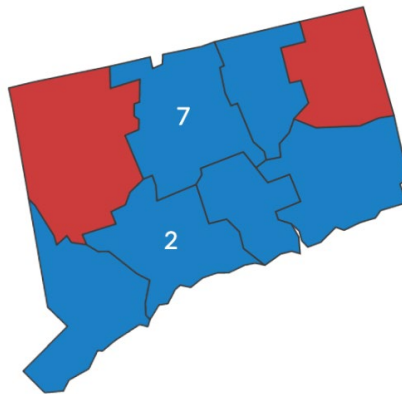
Colorado

County	Machines Schedule for Removal	2016 Political Preference
Denver	6	Democrat



Connecticut

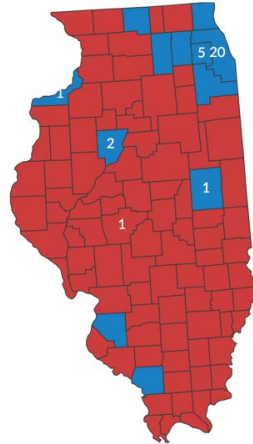
County	Machines Schedule for Removal	2016 Political Preference
Hartford	7	Democrat
New Haven	2	Democrat



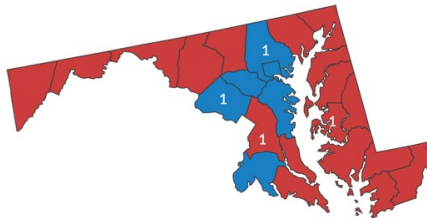
DECLARATION OF
MYNOR URIZAR-HUNTER
NO. 1:20-CV-03127-SAB

Illinois

County	Machines Schedule for Removal	2016 Political Preference
Champaign	1	Democrat
Cook	20	Democrat
DuPage	5	Democrat
Peoria	2	Democrat
Rock Island	1	Democrat
Sangamon	1	Republican

**Maryland**

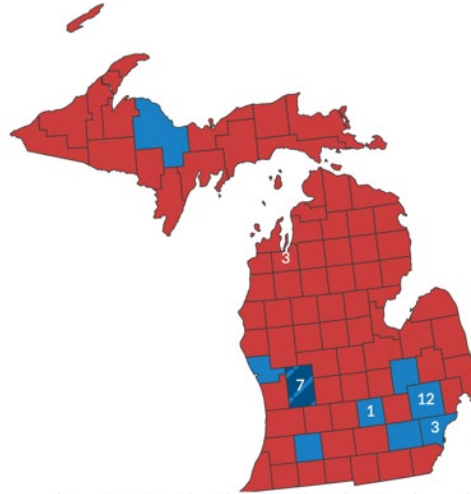
County	Machines Schedule for Removal	2016 Political Preference
Baltimore	1	Democrat
Montgomery	1	Democrat
Prince George's	1	Democrat
Talbot	1	Republican



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Michigan

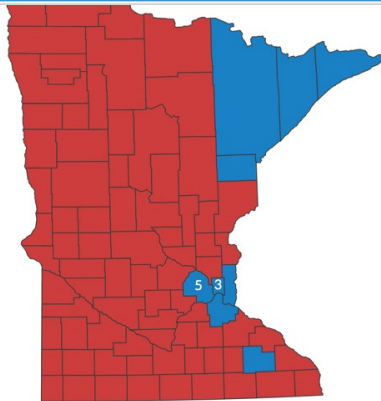
County	Machines Schedule for Removal	2016 Political Preference
Grand Traverse	3	Republican
Ingham	1	Democrat
Kent	7	Republican
Oakland	12	Democrat
Wayne	3	Democrat



*Note: The blue-striped shaded county (Kent County) flipped blue for the 2018 gubernatorial race.

Minnesota

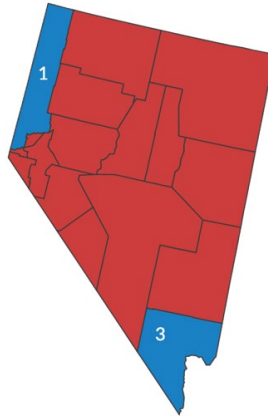
County	Machines Schedule for Removal	2016 Political Preference
Hennepin	5	Democrat
Ramsey	3	Democrat



DECLARATION OF
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NO. 1:20-CV-03127-SAB

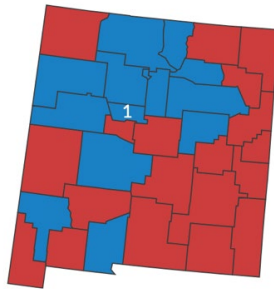
Nevada

County	Machines Schedule for Removal	2016 Political Preference
Clark	3	Democrat
Washoe	1	Democrat



New Mexico

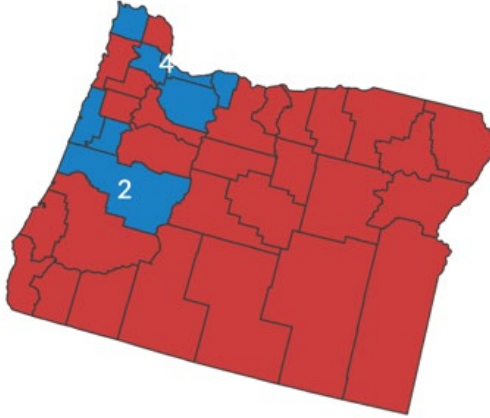
County	Machines Schedule for Removal	2016 Political Preference
Bernalillo	1	Democrat



DECLARATION OF
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Oregon

County	Machines Schedule for Removal	2016 Political Preference
Lane	2	Democrat
Multnomah	4	Democrat

**Rhode Island**

County	Machines Schedule for Removal	2016 Political Preference
Providence	4	Democrat



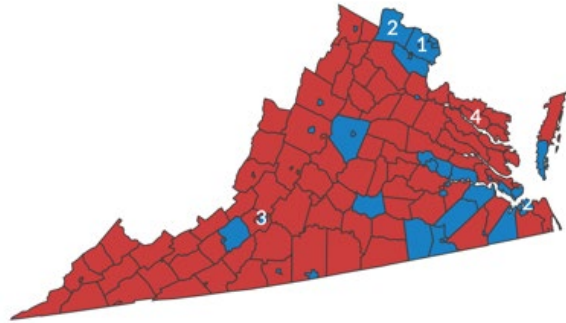
DECLARATION OF
MYNOR URIZAR-HUNTER
NO. 1:20-CV-03127-SAB

10

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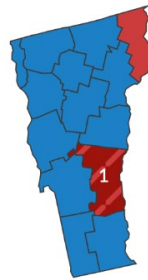
Virginia

County	Machines Schedule for Removal	2016 Political Preference
Fairfax	1	Democrat
Loudoun	2	Democrat
Norfolk	2	Democrat
Richmond	4	Republican
Roanoke	3	Republican



Vermont

County	Machines Schedule for Removal	2016 Political Preference
Windsor	1	Democrat



*Note: The red-striped shaded county (Windsor County) flipped red for the 2018 gubernatorial race.

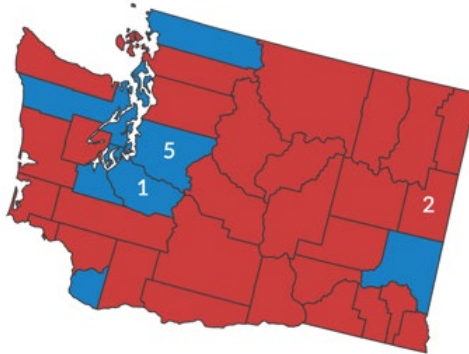
DECLARATION OF
MYNOR URIZAR-HUNTER
NO. 1:20-CV-03127-SAB

11

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
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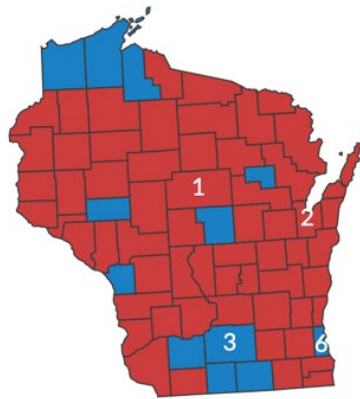
Washington

County	Machines Schedule for Removal	2016 Political Preference
King	5	Democrat
Pierce	1	Democrat
Spokane	2	Republican



Wisconsin

County	Machines Schedule for Removal	2016 Political Preference
Brown	2	Republican
Dane	3	Democrat
Marathon	1	Republican
Milwaukee	6	Democrat



DECLARATION OF
MYNOR URIZAR-HUNTER
NO. 1:20-CV-03127-SAB

12

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
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(206) 464-7744

1 14. The visuals and information provided in this declaration can also be
2 accessed at: <https://uspsimpact2020.com/>.

3 I declare under penalty of perjury under the laws of the United States that
4 the foregoing is true and correct.

5 8th Los Angeles, Ca
6 DATED this _____ day of September, 2020, at _____.
7 date City, State


8 
9 _____
10 Mynor Urizar-Hunter
11
12
13
14
15
16
17
18
19
20
21
22

Exhibit 43

1 ROBERT W. FERGUSON
Attorney General
2 NOAH GUZZO PURCELL, WSBA #43492
Solicitor General
3 NATHAN K. BAYS, WSBA #43025
KRISTIN BENESKI, WSBA #45478
4 ANDREW R.W. HUGHES, WSBA #49515
CRISTINA SEPE, WSBA #53609
5 *Assistant Attorneys General*
EMMA GRUNBERG, WSBA #54659
6 TERA M. HEINTZ, WSBA #54921
(application for admission forthcoming)
7 KARL D. SMITH, WSBA #41988
Deputy Solicitors General
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9 (206) 464-7744

10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
18
19
20
21
22

NO. 1:20-cv-03127-SAB

DECLARATION OF AMANDA
WHITE IN IN SUPPORT OF
PLAINTIFF STATES' MOTION
FOR PRELIMINARY
INJUNCTION

DECLARATION OF AMANDA
WHITE

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, Amanda White, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 described, and make this declaration based on my personal knowledge.

4 2. I suffer from Lyme disease and receive medication by mail to treat
5 it.

6 3. Living in a rural area, I have to allow extra time for packages to
7 arrive. But in the past, I have found that if my medication is shipped on a
8 Monday, it will arrive by Friday the same week.

9 4. The week of August 10th, my medicine was shipped on a Monday
10 and was supposed to arrive on a Friday, but I did not receive it until the
11 following Monday.

12 5. As a result of this delay, I was forced to go three days without
13 medication, which delayed my treatment plan and caused me concern.

14 I declare under penalty of perjury that the foregoing is true and correct.

15
16 DATED this 8th day of September, 2020, at Telluride, Colorado.

17 Amanda White
18 Amanda White
19
20
21
22

DECLARATION OF AMANDA
WHITE

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

Exhibit 44

1 ROBERT W. FERGUSON
Attorney General
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3 NATHAN K. BAYS, WSBA #43025
KRISTIN BENESKI, WSBA #45478
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(application for admission forthcoming)
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Seattle, WA 98104
9 (206) 464-7744

10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
18
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21
22

NO. 1:20-cv-03127-SAB

DECLARATION OF
MARGARET WHITNEY IN
SUPPORT OF PLAINTIFF
STATES' MOTION FOR
PRELIMINARY INJUNCTION

DECLARATION OF
MARGARET WHITNEY

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, Margaret Whitney, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. I am a resident of Columbia Heights, Minnesota. I am currently the
5 Business Agent of the Minneapolis Area Local American Postal Workers Union
6 (APWU). The Business Agent serves as the second in command for the local
7 union. I have been a postal worker for thirty-five years. I have served as a union
8 representative or official for thirty-two years.

9 3. The Minneapolis Area APWU represents workers at the Minneapolis
10 Post Office, which is one of the two largest mail-processing facilities in Minnesota.
11 The union represents three main classes of postal employees: (1) transportation-
12 service workers; maintenance-service workers; and (3) clerks. Transportation
13 service workers repair and maintain the vehicles used by the U.S. Postal Service
14 (USPS). Maintenance service workers include everything from janitorial staff to
15 electricians who maintain the mail-sorting equipment. Clerks are responsible for
16 sorting the mail at the facilities.

17 4. Several directives have come down from top management at the
18 USPS that are beginning to impact postal operations. The detrimental impact of
19 these directives will only increase in the future.

DECLARATION OF
MARGARET WHITNEY

2

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
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1 5. USPS management instructed union maintenance workers to
2 decommission and remove mail-processing machines from the Minneapolis Post
3 Office. In the last two to three months, three letter-sorting machines have been
4 taken out of service. One has been removed and designated for assignment to
5 Sioux Falls, South Dakota. Two others are in the process of disassembly. There
6 are at least four other more mail-processing machines scheduled to be removed in
7 the next two to three months. A flat-sorting machine is in the process of
8 disassembly and scheduled for removal. Two delivery barcode sorters are
9 scheduled for disassembly, and to be used for parts.

10 6. The process of decommissioning a mail-sorting machine is costly and
11 time consuming. It requires the disassembly and transport of a large machine.

12 7. If a machine is not in use it is generally not necessary to disassemble
13 and remove the machine. In the past machines that were not needed at any given
14 time were "idled" meaning they were essentially unplugged and not used. When
15 those machines are needed again they can be reactivated with minimal time and
16 resources. In fact an automated facer canceller in Minneapolis has been idled and
17 tarped. That sorter remains on site.

18
19
DECLARATION OF
MARGARET WHITNEY

3

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Complex Litigation Division
800 5th Avenue, Suite 2000
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(206) 464-7744

1 8. The mail sorting machines are a large capital investment for each
2 facility and are not easy to replace if they are removed but become needed in the
3 future.

4 9. As a result of the removal of the mail-sorting machines, additional
5 mail sorting bins will be added to the sorting machines that remain. The addition
6 of these bins will exceed the electrical capacity of the Minneapolis Post Office
7 building and now requires an increase in electrical capacity to run the expanded
8 mail processing equipment.

9 10. USPS management has also curtailed overtime and the ability of letter
10 carriers to make second trips back their facility to retrieve additional mail to be
11 delivered that day. In addition, mail transport vehicles have been instructed to
12 leave the sorting facility at their appointed time, regardless of whether the truck
13 has been fully loaded with its designated load. This causes some mail to remain at
14 the facility to be sent out the following day. This holdover of mail causes several
15 logistical problems.

16 11. When mail is sorted at the sorting facility it is placed in what is known
17 as a "walk sequence." This means that the mail is organized in the order of the
18 customer addresses on the mail carrier's route. This allows the mail carrier to load
19 and deliver the mail in a logical and efficient sequence. Mail that is left over from

DECLARATION OF
MARGARET WHITNEY

4

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
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(206) 464-7744

1 one day to the next must be put back through the sorting machines so that it can be
2 sequenced with the mail for the next day. This additional sorting is inefficient and
3 can cause further backlogs.

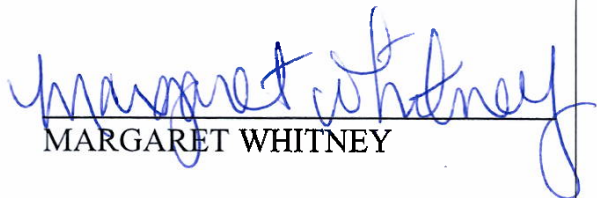
4 12. The reduction in sorting machines, combined with the additional
5 directives noted above has the potential to impact mail service. The impact of
6 these policies is not fully felt at this time because the summer months are
7 historically the slowest mail season. Mail volumes typically pick up in the fall,
8 with peak season being from the end of November through the end of the year.

9 13. Last year, during peak season, the Minneapolis Post Office was
10 operating at capacity and was also operating a satellite sorting facility to handle the
11 additional volume over the holidays.

12 14. If these current policies are continued they may impact not only
13 priority mail packages, but also first-class mail, causing delays.

14 I declare under penalty of perjury under the laws of the States of Washington
15 and Minnesota and the United States of America that the foregoing is true and
16 correct.

17 Dated: August 18, 2020

18 
MARGARET WHITNEY

19
DECLARATION OF
MARGARET WHITNEY

5

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
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Exhibit 45

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Attorney General
2 NOAH GUZZO PURCELL, WSBA #43492
Solicitor General
3 NATHAN K. BAYS, WSBA #43025
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10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
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15 v.

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17 Defendants.
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NO. 1:20-cv-03127-SAB

SECOND DECLARATION OF
MARGARET WHITNEY IN
SUPPORT OF PLAINTIFF
STATES' MOTION FOR
PRELIMINARY INJUNCTION

SECOND DECLARATION OF
MARGARET WHITNEY

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, Margaret Whitney, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. I am a resident of Columbia Heights, Minnesota. I am currently the
5 Business Agent of the Minneapolis Area Local American Postal Workers Union
6 (APWU). The Business Agent serves as the second in command for the local
7 union. I have been a postal worker for thirty-five years. I have served as a union
8 representative or official for thirty-two years.

9 3. I previously signed a declaration explaining directives the United
10 States Postal Service (USPS) has recently implemented. That declaration detailed
11 pieces of equipment at the Minneapolis Processing Plant that have been
12 decommissioned, are in the process of being decommissioned, or were scheduled
13 for decommissioning.

14 4. That declaration was signed before Postmaster General DeJoy issued
15 a statement on August 18 indicating that the changes being implemented would be
16 delayed until after the election.

17 5. On August 19, plant management held a meeting with maintenance
18 craft workers at the Minneapolis Processing Plant and provided an update on plans
19 for the plant.

SECOND DECLARATION OF
MARGARET WHITNEY

2

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
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Seattle, WA 98104-3188
(206) 464-7744

1 6. Before the Postmaster General's August 18 announcement a flat-
2 sorting machine and an automatic facer canceller had been disconnected and
3 scheduled to be removed. Three letter-sorting (DIOSS) machines were also
4 scheduled for removal. Those plans are still in place and have not changed. One
5 DIOSS is designated for assignment in South Dakota and is scheduled to be
6 removed on September 1, the future location of the other two machines has not
7 been determined.

8 7. Prior to the August 18 announcement two delivery barcode sorters
9 (DBCS) had been scheduled to be disassembled and used for parts. One is still
10 scheduled for disassembly. One DBCS that was scheduled for disassembly is
11 currently in service has been designated as "on hold" until after election.

12 I declare under penalty of perjury under the laws of the States of Washington
13 and Minnesota and the United States of America that the foregoing is true and
14 correct.

15 Dated: August 20, 2020


MARGARET WHITNEY

16
17
SECOND DECLARATION OF

3

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

Exhibit 46

1 ROBERT W. FERGUSON
Attorney General
2 NOAH GUZZO PURCELL, WSBA #43492
Solicitor General
3 NATHAN K. BAYS, WSBA #43025
KRISTIN BENESKI, WSBA #45478
4 ANDREW R.W. HUGHES, WSBA #49515
CRISTINA SEPE, WSBA #53609
5 *Assistant Attorneys General*
EMMA GRUNBERG, WSBA #54659
6 TERA M. HEINTZ, WSBA #54921
(application for admission forthcoming)
7 KARL D. SMITH, WSBA #41988
Deputy Solicitors General
8 800 Fifth Avenue, Suite 2000
Seattle, WA 98104
9 (206) 464-7744

10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
18
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21
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NO. 1:20-cv-03127-SAB

DECLARATION OF ZOË
WILLIAMS IN SUPPORT OF
PLAINTIFF STATES' MOTION
FOR TEMPORARY
RESTRAINING ORDER

DECLARATION OF ZOË
WILLIAMS

1

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, Zoë Williams, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 described, and make this declaration based on my personal knowledge.

4 2. I am a nonprofit consultant in Denver, Colorado.

5 3. I am an independent contractor.

6 4. My clients pay me by check.

7 5. Recently, a client recently mailed me a check for three months of
8 work. Despite being mailed from a Denver address, the check took about two
9 weeks to arrive.

10 6. I had not previously experienced such delays.

11 7. I followed up with the client, and they confirmed that they had
12 mailed the check on time.

13 8. Because of the delay in receiving the check, I was not able to pay a
14 bill that was due.

15 9. The bill was sent to collections, and I received a notice that my credit
16 score had changed.

17 10. Because the check was delayed, I was worried about being able to
18 purchase groceries for my four children.

19 11. I ran out of money before the check arrived and was required to pay
20 an overdraft fee to buy groceries.

21 I declare under penalty of perjury that the foregoing is true and correct.
22

DECLARATION OF ZOË
WILLIAMS

2

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

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DATED this 2nd day of September, 2020, at Denver, Colorado.

S/Zoë Williams

Zoë Williams

DECLARATION OF ZOË
WILLIAMS

3

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

Exhibit 47

1 ROBERT W. FERGUSON
Attorney General
2 NOAH GUZZO PURCELL, WSBA #43492
Solicitor General
3 NATHAN K. BAYS, WSBA #43025
KRISTIN BENESKI, WSBA #45478
4 ANDREW R.W. HUGHES, WSBA #49515
CRISTINA SEPE, WSBA #53609
5 *Assistant Attorneys General*
EMMA GRUNBERG, WSBA #54659
6 TERA M. HEINTZ, WSBA #54921
(application for admission forthcoming)
7 KARL D. SMITH, WSBA #41988
Deputy Solicitors General
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10 **UNITED STATES DISTRICT COURT**
11 **EASTERN DISTRICT OF WASHINGTON**
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
18
19
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21
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NO. 1:20-cv-03127-SAB

DECLARATION OF
CHRISTOPHER WINTERS
IN SUPPORT OF PLAINTIFF
STATES' MOTION FOR
PRELIMINARY INJUNCTION

DECLARATION OF
CHRISTOPHER WINTERS
NO. 1:20-cv-03127-SAB

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON AT YAKIMA**

STATE OF WASHINGTON, et al.,) No. 20-03127-SAB
Plaintiffs)
)
v.)
DONALD J. TRUMP, et al.,)
Defendants)

**Declaration of Christopher Winters
Vermont Deputy Secretary of State**

I, Christopher Winters, pursuant to 28 U.S.C. § 1746, hereby declare that the following is true and correct:

1. I am the Deputy Secretary of State for the State of Vermont. I have been employed by the Secretary of State's Office for more than 23 years, the last five as Deputy Secretary, appointed by Secretary of State Jim Condos.
2. As Deputy Secretary of State, I oversee and have responsibility for the operations of the four divisions of the Secretary of State's Office. This includes the Elections Division, and I have direct knowledge of its functions and operations. The Elections Division of the Vermont Secretary of State's Office has responsibility for guiding and administering Vermont's local, state, and federal elections. The Elections Division provides oversight and guidance on election law, provides supplies that are fundamental to carrying out elections, and is a resource before and on election day to help election officials with any emergencies or routine questions that may arise.

3. In Vermont, voters have been able to vote by mail (no-excuse absentee voting) since 2001. Vermonters also have the ability to vote early at their town clerk's office during regular hours for 45 days prior to the election. Ballots must be received in the town clerk's office before the close of business on the Monday before Election Day, or ballots may be delivered to the polls on Election Day before the polls close at 7:00 p.m.¹

4. On July 2, 2020, Act 135 became law. This legislation, along with previously enacted Act 92, authorized the Vermont Secretary of State to order or permit, as applicable, appropriate elections procedures for the purpose of protecting the health, safety, and welfare of voters, elections workers, and candidates in carrying out elections, including expanding mail voting by sending ballots by mail to all registered voters.

5. The Vermont Secretary of State has exercised his authority under Act 135. In a directive issued by the Secretary of State on July 20, 2020, it was announced that the Vermont Secretary of State will send ballots to all registered voters via first-class mail (paid at the first-class rate) for the General Election in 2020. The State of Vermont will also include prepaid envelopes, postage first class for the return ballots.

6. Under Vermont's current election law, ballots returned by mail must be received by the clerk no later than 7:00 p.m. on Election Day, regardless of when the ballot is postmarked.²

7. Voting by mail is especially beneficial for Vermonters who are homebound, such as the elderly and members of the disabled community; those who are economically disadvantaged and have limited access to transportation and childcare that would enable them to vote in person during a set timeframe; overseas and military voters; those who

¹. There is an exception for ballots that have been mailed to the town clerk. To be counted, they must arrive before 7:00 p.m. on election day. 17 V.S.A. § 2453(d)(1)(B).

². 17 V.S.A. § 2453(d)(1)(B).

are temporarily away from home for work or family reasons; and those who may not have time to get to the polls during set hours, such as shift workers, caregivers, single parents, and those without childcare or time off from work.

8. In the 2020 election, there is another category of Vermonters who would be disproportionately affected by the need to vote in person: older voters and those with compromised immune systems who are particularly susceptible to harm from COVID-19. This category also includes voters who live with or care for a vulnerable household member or relative, and who fear that voting in person may expose them to the virus, which they may then spread to more vulnerable individuals.

9. The COVID-19 pandemic has led to a massive increase in voting by mail. More voters requested absentee ballots for the 2020 primary election than the number of Vermonters who actually voted in the last two primaries, as reflected in the following chart:

Statewide Primary Year	Total Ballots Voted	Early/Absentee Ballots Voted (% of total)
2016	107,000	17,000 (16%)
2018	120,000	22,000 (18%)
2020	168,000	150,000 requested (89%) (Voted data is not available)

Voted totals are rounded down to the nearest 1,000.

10. Delays in mail delivery by the USPS could adversely impact the timely receipt of ballots, thereby, jeopardizing the ability of such voters to have their ballots counted.

11. In the 2020 primary election, many postal workers in Vermont went above and beyond their job duties to ensure that all timely posted ballots were delivered to polling places on time, which was a challenge given the much higher volume of mailed ballots than in previous years. Vermont is concerned that, with the elimination of overtime and

1 other recent USPS operational changes, postal workers will be unable to fulfill these
2 functions for the 2020 general election.

3 13. Vermont is concerned that, with the certainty of a high turnout and heavy reliance
4 on absentee voting or voting by mail for this impending election, postal service
5 disruptions will disenfranchise voters, make receipt and processing more difficult for
6 election workers and will undermine the integrity of election results if large numbers of
7 ballots are not returned in time.

8
9 I declare under penalty of perjury that, to the best of my knowledge, the
10 foregoing is true and correct.

11
12 Executed at __Montpelier__, Vermont, on this _4th_ day of September, 2020.

13
14 

15 _____
16 Christopher Winters
Deputy Secretary of State

Exhibit 48

1 ROBERT W. FERGUSON
Attorney General
2 NOAH GUZZO PURCELL, WSBA #43492
Solicitor General
3 NATHAN K. BAYS, WSBA #43025
KRISTIN BENESKI, WSBA #45478
4 ANDREW R.W. HUGHES, WSBA #49515
CRISTINA SEPE, WSBA #53609
5 *Assistant Attorneys General*
EMMA GRUNBERG, WSBA #54659
6 TERA M. HEINTZ, WSBA #54921
(application for admission forthcoming)
7 KARL D. SMITH, WSBA #41988
Deputy Solicitors General
8 800 Fifth Avenue, Suite 2000
Seattle, WA 98104
9 (206) 464-7744

10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
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NO. 1:20-cv-03127-SAB

DECLARATION OF
MARIBETH WITZEL-BEHL IN
SUPPORT OF PLAINTIFF
STATES' MOTION FOR
PRELIMINARY INJUNCTION

DECLARATION OF MARIBETH
WITZEL-BEHL

1

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, **MARIBETH WITZEL-BEHL**, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. From 2004 to 2006, I was the Licensing Clerk in the City of
5 Madison's City Clerk's Office. I have been the City Clerk of the City of Madison
6 since 2006. I am the elections administrator for the City and am responsible for
7 about 180,000 voters. I oversee the processing of absentee requests and issuance
8 of absentee ballots, work that is done by ten full-time Clerk's Office employees
9 and 53 hourly absentee clerks. Voters contact me with their concerns via e-mail,
10 via phone, and in person.

11 3. Based on my experience working with absentee voting, I know that
12 many Madison voters rely on the Postal Service for timely mail delivery in order
13 to meet Wisconsin's statutory deadlines for absentee voting.

14 4. When the Clerk's Office receives a voter's request for an absentee
15 ballot, it prepares the ballot and places it in the mail for delivery by the Postal
16 Service to the voter's residence.

17 5. Due to shutdowns in Wisconsin mail processing facilities over the
18 past several years, mail sent from the City Clerk's Office to Madison residents is
19 routed through a processing facility in Milwaukee, Wisconsin. My understanding
20 is that this shipping process adds a day or two to mail delivery times.

21
22

DECLARATION OF MARIBETH
WITZEL-BEHL

2

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 6. Postal Service officials have informed me that ballots should arrive
2 at voters' residence in two to five days. However, many voters have contacted
3 the City Clerk's Office to report that they have waited around five to seven days
4 for ballots to arrive at their residence.

5 7. If a voter chooses to return an absentee ballot by mail, they must
6 place it back in the mail for Postal Service delivery back to the City Clerk's
7 Office. Voters have reported that this return delivery can take up to a week.

8 8. I am familiar with reports regarding operational changes at the
9 Postal Service related to mail processing and delivery, including that the Postal
10 Service has reduced overtime for employees, instructed mail carriers to leave
11 behind excess mail that cannot be delivered during standard hours, and removing
12 mail sorting machines.

13 9. In recent weeks, municipal clerks in Wisconsin have regular contact
14 with Postal Service officials via Zoom videoconference calls to discuss issue
15 related to election mailings. Through these calls, I have learned that the Postal
16 Service has removed mail processing machines that served the City of Madison.

17 10. Additional delays in mail processing and delivery caused by the
18 Postal Service's recent operational changes create a substantial risk that many
19 voters will not have time to receive and submit their absentee ballots by mail
20 before Wisconsin's statutory deadline of 8 p.m. on election day. That risk is
21
22

DECLARATION OF MARIBETH
WITZEL-BEHL

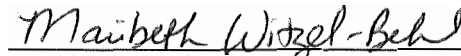
1 especially acute for voters who wait until the deadline of five days before election
2 day to request an absentee ballot by mail.

3 11. In Wisconsin's most recent primary election in August 2020, around
4 270 absentee ballots arrived at the City Clerk's office by mail after the statutory
5 deadline and were not counted. In the comparable primary election during August
6 2018, the City Clerk's office received only around 160 late absentee ballots.

7 12. Madison voters have expressed to me their concerns with Postal
8 Service mail delivery in connection with the November 2020 general election,
9 and specifically their worries that the Postal Service will not deliver their
10 completed absentee ballots in a timely and reliable fashion.

11
12 I declare under penalty of perjury under the laws of the State of Wisconsin
13 and the United States that the foregoing is true and correct.

14 DATED this 18th day of August, 2020, at Madison, Wisconsin.

15
16 
17 Maribeth Witzel-Behl
18 City Clerk of the City of Madison, Wisconsin
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22

DECLARATION OF MARIBETH
WITZEL-BEHL

Exhibit 49

1 ROBERT W. FERGUSON
2 *Attorney General*

3
4
5 **UNITED STATES DISTRICT COURT**
6 **EASTERN DISTRICT OF WASHINGTON**
7 **AT YAKIMA**

8 STATE OF WASHINGTON, et al.,

9 Plaintiff,

10 v.

11 DONALD J. TRUMP, et al.,

12 Defendants.

NO. 1:20-CV-03127

DECLARATION OF DAVID YAO

13
14 I, David Yao, declare as follows:

15 1. I am over the age of 18, am competent to testify as to the matters
16 herein, and make this declaration based on my personal knowledge.

17 2. I have been a United States Postal Service (USPS) employee for
18 over 30 years. In addition to my role as a postal clerk for the USPS, I currently
19 serve as Vice President of the Greater Seattle Area Local of the American Postal
20 Workers Union. I make this declaration in my personal capacity and not on
21 behalf of any organization or entity.
22

DECLARATION OF DAVID YAO

1

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 3. The USPS has recently made several significant changes to the way
2 it processes and delivers mail in the State of Washington.

3 4. In general, when a mail carrier is out on their daily route, they will
4 pick up outgoing mail from various sources, including private mailboxes and
5 public blue boxes. When the mail carrier finishes their route, they will bring that
6 outgoing mail back to the station, where it will be put on a truck that will take it
7 to a regional processing center that evening. At the processing center, the mail
8 will be postmarked and sorted depending on its destination.

9 5. One of the more significant recent changes to the way mail is being
10 processed in Washington State is that trucks traveling between stations and
11 processing centers must now leave each facility by a firm deadline each day, and
12 there cannot be any exceptions to this deadline. I learned about this change from
13 the truck drivers. They have told me that this requirement applies both to trucks
14 leaving stations at the end of the day to take outgoing mail to a processing center,
15 and to trucks leaving processing centers in the morning to take mail that has been
16 postmarked and sorted to a station for delivery.

17 6. In normal circumstances, if the last truck of the day were about to
18 leave a station to take outgoing mail to a processing center, the truck would have
19 discretion to wait if there was for example a letter carrier who was about to return
20 with a large bundle of outgoing mail collected during the day. In that situation,
21 waiting a short amount of time makes it possible to ensure that all of the outgoing
22

1 mail that was collected during the day would be sent to the processing center that
2 evening to be sorted and postmarked.

3 7. These recent changes, however, represent a significant departure
4 from our prior practices. Truck drivers have told me they are required to leave
5 the station for the processing center by a firm deadline without any exceptions.
6 As a result, even if a carrier is about to return to the station with a large bundle
7 of outgoing mail collected during the day, the truck leaving for the processing
8 center is not permitted to wait for the carrier to arrive. Instead, the truck will leave
9 before the carrier arrives, and that outgoing mail will get left behind to sit at the
10 station for at least another day unless a supervisor can drive it to the processing
11 center to be sorted and postmarked.

12 8. I have heard from other Union officers and postal employees that
13 these changes also apply to trucks leaving a processing center in the morning to
14 take postmarked and sorted mail to stations for distribution and delivery.
15 Previously, if there was still a large volume of mail that was nearly done being
16 processed in the morning, the trucks could wait to make sure they got all the mail
17 that should go to the station that day. Under the recent changes, however, those
18 trucks also leave by a firm deadline without any exception. As a result, any mail
19 that was nearly done being processed will miss the truck entirely and could
20 instead sit at the facility for at least another day until it can be driven to the station
21 for delivery.
22

9. In my experience as a postal employee, election mail is usually treated as First Class Mail, regardless of the postage on the envelope. This includes absentee or mail-in ballots that are sent to voters and the completed ballots that are sent back to election officials.

I declare under penalty of perjury under the laws of the State of Washington and the United States that the foregoing is true and correct.

DATED this 3rd day of September, 2020, at Seattle, Washington.

David C. Yao
DAVID YAO

Exhibit 50

1 ROBERT W. FERGUSON
Attorney General
2 NOAH GUZZO PURCELL, WSBA #43492
Solicitor General
3 NATHAN K. BAYS, WSBA #43025
KRISTIN BENESKI, WSBA #45478
4 ANDREW R.W. HUGHES, WSBA #49515
CRISTINA SEPE, WSBA #53609
5 *Assistant Attorneys General*
EMMA GRUNBERG, WSBA #54659
6 TERA M. HEINTZ, WSBA #54921
(application for admission forthcoming)
7 KARL D. SMITH, WSBA #41988
Deputy Solicitors General
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10
11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,

14 Plaintiffs,

15 v.

16 DONALD J. TRUMP, et al.,

17 Defendants.
18
19
20
21
22

NO. 1:20-cv-03127-SAB

DECLARATION OF KAREN
YARBROUGH IN SUPPORT
OF PLAINTIFF STATES'
MOTION FOR PRELIMINARY
INJUNCTION

DECLARATION OF KAREN A.
YARBROUGH

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 I, Karen A. Yarbrough, declare as follows:

2 1. I am over the age of 18, am competent to testify as to the matters
3 herein, and make this declaration based on my personal knowledge.

4 2. I make this declaration from personal knowledge and based on
5 records from the Cook County Clerk's Office, located in Cook County, Illinois,
6 and would testify to the following facts if called as a witness at hearing or trial.

7 3. I am the Cook County Clerk, responsible for administration of
8 elections in suburban Cook County, Illinois (excluding the City of Chicago).

9 4. The Cook County Clerk's Office serves as the local election
10 authority for Illinois voters who reside in suburban Cook County. There are
11 approximately 1,570,127 Cook County residents currently registered to vote in
12 the area subject to our jurisdiction. Our office is one of 108 local election
13 authorities in Illinois. The local election authorities handle local voter
14 registration programs, arrange for the printing of ballots, and manage the vote
15 count at the local level. They are additionally responsible for accepting vote by
16 mail applications, mailing ballots to voters who have applied to vote by mail,
17 and accepting ballots returned by mail. *See* 10 ILCS 5/2B-15; 10 ILCS 5/2B-20.
18 The local election authorities function under the supervision of the Illinois State
19 Board of Elections ("ISBE"), which oversees the administration of registration
20 and election laws throughout the State of Illinois. *See* 10 ILCS 5/1A-1.

21
22

DECLARATION OF KAREN A.
YARBROUGH

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

Illinois' Statutory Vote by Mail Procedures

5. Illinois has successfully utilized vote by mail procedures for over a decade. In 2009, Illinois began allowing any qualified and registered voter in the state to choose to vote by mail in accordance with deadlines and procedures established in Illinois Election Code. *See* Pub. Act 96-0553 (eff. Aug. 17, 2009) (amending 10 ILCS 5/19-1).

6. This year, in response to the Covid-19 pandemic and to protect the health of Illinois residents, Illinois enacted new legislation to further enhance the availability of vote by mail for Illinois voters participating in the 2020 general election. On June 16, 2020, Public Act 101-0642 became law in Illinois. *See* Pub. Act 101-0642 (eff. June 16, 2020) (creating 10 ILCS 5/2B *et seq.*).

7. Public Act 101-0642 permits voters to request applications “for an official ballot for the 2020 general election to be sent to the elector through mail.” 10 ILCS 5/2B-15(a).

8. In addition, the new law requires election authorities to send applications for “an official vote by mail ballot for the 2020 general election” to any elector who voted, whether by mail or in person, in (1) the 2018 general election; (2) the 2019 consolidated election (in which various municipal elections occur in Illinois); or (3) the 2020 general primary election. *Id.* § 5/2B-

DECLARATION OF KAREN A.
YARBROUGH

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 15(b). Vote by mail applications must also be sent to voters who have registered
 2 to vote or changed their registration address after March 17, 2020, the date of
 3 the general primary election, and on or before July 31, 2020. *Id.* The vote by
 4 mail applications sent to voters must also include a notice stating that “upon
 5 completion of the application, the elector *will receive* an official ballot no more
 6 than 40 days and no less than 30 days before the election[.]” *Id.* §5/2B-15(c)
 7 (emphasis added). The notice also informs voters that they may return the
 8 application by mail to their election authority. *Id.* Both the application and
 9 notice are to be sent by mail “to the elector’s registered address and any other
 10 mailing address the election authority may have on file, including a mailing
 11 address to which a prior vote by mail ballot was mailed.” *Id.* § 5/2B-15(d).

12 9. Beginning on September 24, 2020, election authorities in Illinois
 13 must mail official ballots to voters in Illinois who have requested them. *Id.* §
 14 2B-20(a). Voters requesting a vote by mail ballot on or before October 1, 2020,
 15 must receive one “no later than October 6, 2020.” *Id.* For requests received after
 16 October 1, 2020, an election authority must mail an official ballot within two
 17 business days after receiving the application. *Id.* Election authorities must
 18 continue accepting vote by mail applications received by mail or electronically
 19 through October 29, 2020—five days before election day, November 3, 2020.
 20 *See* 10 ILCS 5/19-2. Voters may also submit a vote by mail application in
 21 person as late as November 2, 2020, the day before election day. *Id.*

22
 DECLARATION OF KAREN A.
 YARBROUGH

ATTORNEY GENERAL OF WASHINGTON
 Complex Litigation Division
 800 5th Avenue, Suite 2000
 Seattle, WA 98104-3188
 (206) 464-7744

1 10. For voters returning their completed ballots by mail, their ballots
2 must be postmarked on or before election day and received within the fourteen-
3 day period following election day during which provisional ballots are counted.
4 See 10 ILCS 5/19-3, 19-8(c); 10 ILCS 5/20-2.3. Illinois law also permits
5 election authorities to create “secure collection sites for the postage-free return
6 of vote by mail ballots,” and specifically provides that “[e]lection authorities
7 shall accept any vote by mail ballot returned, including ballots returned with
8 insufficient or no postage[.]” 10 ILCS 5/2B-20(e). Voters who received vote by
9 mail ballots and wish to personally return them have until the close of the polls
10 on election day to submit them to collection sites for the issuing election
11 authority. 10 ILCS 5/2B-20(e). Illinois law specifically provides that “[e]lection
12 authorities shall accept any vote by mail ballot returned, including ballots
13 returned with insufficient or no postage[.]” *Id.* Critically, Illinois law permits
14 voters to select whether they will return their ballot by mail or in person using
15 the secure collection site.

16 **Vote By Mail Trends in Cook County, Illinois**

17 11. In previous General Elections, suburban Cook County voters relied
18 upon vote by mail to cast their ballots. In the 2016 General Election, 87,987
19 voters cast ballots by mail. In the 2018 General Election, 95,105 voters cast
20 ballots by mail.
21
22

DECLARATION OF KAREN A.
YARBROUGH

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-7744

1 12. Following the requirements of the new Illinois statute, on or about
2 August 1, 2020, the Cook County Clerk's Office mailed approximately 1.6
3 million vote by mail applications to suburban Cook County voters. I anticipate
4 that providing these applications will significantly increase the number of
5 voters who will opt to vote by mail.

6 13. In light of the recent change of laws in Illinois and the COVID-19
7 pandemic, I believe a larger number of people will opt to vote by mail. In fact,
8 as of August 18, 2020, the Cook County Clerk's Office has received 176,843
9 ballot applications from voters who wish to vote by mail. This number is
10 significantly higher than what we have observed in previous General Elections.
11 Already, the total number of mail ballot applications is more than double the
12 total number of mail ballots cast in the last Presidential General Election in
13 2016.

14 14. Based on the trends our office is observing, I believe it is highly
15 likely that the 107 other local election authorities in Illinois will witness similar
16 trends.

17 **Impacts of United States Postal Service's Recent Changes**

18 15. I am aware and have seen the letter that the United States Postal
19 Service ("USPS") mailed to ISBE on July 30, 2020. In that letter, USPS warned
20 ISBE that that "under our reading of Illinois' election laws, certain deadlines for
21 requesting and casting mail-in ballots are incongruous with the Postal Service's
22

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1 delivery standards. This mismatch creates a risk that ballots requested near the
2 deadline under state law will not be returned by mail in time to be counted under
3 your laws as we understand them.” The letter specifically flagged that Illinois
4 permits voters intending to vote by mail to apply for a vote by mail ballot “as late
5 as 5 days before the November general election.” It also asserted that “the Postal
6 Service cannot adjust its delivery standards to accommodate the requirements of
7 state election law.” A copy of the July 30, 2020 letter is attached to this
8 declaration as Exhibit A.

9 16. In addition to the July 30, 2020 letter from USPS, I am also aware
10 of recent media reports indicating that some members of the public have been
11 experiencing delays in mail delivery. I am also aware of media reports
12 indicating that operational changes have recently been occurring at USPS that
13 may have contributed to these delays.

14 17. The Cook County Clerk’s Office works to ensure that elections in
15 suburban Cook County are fair and that residents who are eligible to vote can
16 do so in a safe and secure manner. Ensuring the safety of voters is especially
17 critical this year, given the ongoing Covid-19 pandemic. Vote by mail is a vital
18 tool in enabling Illinois voters to safely cast their ballots.

19 18. The deadlines required by Illinois law permit voters to apply to
20 vote by mail up until very close to election day. Having an efficient mail service
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1 through USPS is critical to ensuring that voters choosing to vote by mail are
2 able to receive and return their ballots by the deadlines required in Illinois law.

3 19. The need for an efficient mail service through USPS is particularly
4 critical in the final weeks leading up to election day on November 3, 2020.
5 Voters in Illinois can mail or electronically submit applications to vote by
6 through October 29, 2020. For voters submitting their applications on October
7 29 or the few days leading up to that date, having reliable and efficient USPS
8 mail delivery will be essential to ensure that the voters are able to receive,
9 complete, and return their ballots in time for them to be counted.

10 20. In addition, Illinois voters mailing their ballots need to have their
11 ballots postmarked no later than election day, November 3, 2020, in order for
12 them to be counted. Ballots submitted by mail must also be received by the
13 election authority within the fourteen days after election day in order to be
14 counted.

15 **Irreparable Harm**

16 21. An efficient and reliable mail service through USPS is critical to
17 ensuring that Cook County voters choosing to vote by mail are not
18 disenfranchised because of delays in processing or delivering the mail. The
19 anticipated increase in the number of Illinois citizens voting by mail in this year's
20 election also means that an efficient and reliable mail service through USPS has
21 never been more important to ensuring that Illinois citizens can exercise their
22 right to vote.

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1 22. USPS's warnings about its inability to provide reliable services in
2 Illinois is occurring at a time when prompt mail delivery has never been more
3 essential for protecting the right to vote for Illinois citizens. Maintaining and
4 enhancing USPS capacity is an urgent priority for the Cook County Clerk's
5 Office in light of the expansion of vote by mail options Illinois has adopted in
6 response to the COVID-19 pandemic.

7 23. However, if USPS provides inadequate postal services so close to
8 an election, significant numbers of Cook County and Illinois voters would be at
9 risk of becoming disenfranchised in the upcoming election.

10 24. If mail services are impeded or delayed, voters who utilize vote by
11 mail risk not having their ballot counted. For example, the Cook County Clerk's
12 Office may receive vote by mail applications late due to mail delays, which will
13 delay our ability to send voters their ballots. Even if applications are timely
14 received, voters may still receive their ballots late or else be prevented from
15 casting their ballots in a timely way if the mail is delayed or voters are otherwise
16 unable to find an alternative method to deliver their ballot to a secure collection
17 site. In fact, USPS has essentially admitted the strong probability that irreparable
18 disruptions will occur in their July 30, 2020 letter.

19 25. Further, if USPS's changes undercut public confidence in postal
20 services, voters who otherwise would have remained safely at home to vote might
21 opt to vote in person at a polling place instead, which heightens inherent risks of
22

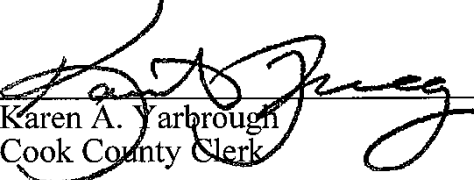
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1 spreading COVID-19 during a dangerous pandemic. Otherwise, voters who feel
2 that they cannot trust the postal service but have warranted concerns about
3 congregating at a polling place simply might not vote at all.

4 **I declare under penalty of perjury under the laws of the United States**
5 **that the foregoing is true and correct.**

6
7 DATED this 19th day of August 2020, at Chicago, Illinois.

8
9 
10 Karen A. Yarbrough
11 Cook County Clerk
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Yarbrough Declaration
Exhibit A

THOMAS J. MARSHALL
GENERAL COUNSEL
AND EXECUTIVE VICE PRESIDENT



July 30, 2020

Honorable Steve Sandvoss
Executive Director
State Board of Elections
2329 S. MacArthur Boulevard
Springfield, IL 62704-4503

Dear Mr. Sandvoss:

Re: Deadlines for Mailing Ballots

With the 2020 General Election rapidly approaching, this letter follows up on my letter dated May 29, 2020, which I sent to election officials throughout the country. That letter highlighted some key aspects of the Postal Service's delivery processes. The purpose of this letter is to focus specifically on the deadlines for requesting and casting ballots by mail. In particular, we wanted to note that, under our reading of Illinois' election laws, certain deadlines for requesting and casting mail-in ballots are incongruous with the Postal Service's delivery standards. This mismatch creates a risk that ballots requested near the deadline under state law will not be returned by mail in time to be counted under your laws as we understand them.

As I stated in my May 29 letter, the two main classes of mail that are used for ballots are First-Class Mail and USPS Marketing Mail, the latter of which includes the Nonprofit postage rate. Voters must use First-Class Mail (or an expedited level of service) to mail their ballots and ballot requests, while state or local election officials may generally use either First-Class Mail or Marketing Mail to mail blank ballots to voters. While the specific transit times for either class of mail cannot be guaranteed, and depend on factors such as a given mailpiece's place of origin and destination, most domestic First-Class Mail is delivered 2-5 days after it is received by the Postal Service, and most domestic Marketing Mail is delivered 3-10 days after it is received.

To account for these delivery standards and to allow for contingencies (e.g., weather issues or unforeseen events), the Postal Service strongly recommends adhering to the following timeframe when using the mail to transmit ballots to domestic voters:

- **Ballot requests:** Where voters will both receive and send a ballot by mail, voters should submit their ballot request early enough so that it is received by their election officials at least 15 days before Election Day at a minimum, and preferably long before that time.
- **Mailing blank ballots to voters:** In responding to a ballot request, election officials should consider that the ballot needs to be in the hands of the voter so that he or she has adequate time to complete it and put it back in the mail stream so that it can be processed and delivered by the applicable deadline. Accordingly, the Postal Service recommends that election officials use First-Class Mail to transmit blank ballots and allow 1 week for delivery to voters. Using Marketing Mail will result in slower delivery times and will increase the risk that voters will not receive their ballots in time to return them by mail.

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- 2 -

- **Mailing completed ballots to election officials:** To allow enough time for ballots to be returned to election officials, domestic voters should generally mail their completed ballots at least one week before the state's due date. In states that require mail-in ballots to be *both* postmarked by Election Day *and* received by election officials by a specific date that is one week or more after Election Day, voters may generally mail their ballot up until November 3. However, voters who mail in their ballots on Election Day must be aware of the posted collection times on collection boxes and at the Postal Service's retail facilities, and that ballots entered after the last posted collection time on a given day will not be postmarked until the following business day.

Under our reading of your state's election laws, as in effect on July 27, 2020, certain state-law requirements and deadlines appear to be incompatible with the Postal Service's delivery standards and the recommended timeframe noted above. As a result, to the extent that the mail is used to transmit ballots to and from voters, there is a significant risk that, at least in certain circumstances, ballots may be requested in a manner that is consistent with your election rules and returned promptly, and yet not be returned in time to be counted.

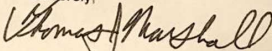
Specifically, it appears that a completed ballot must be postmarked before Election Day and received by election officials within 14 days after the election, which we understand to be the end of the period for counting provisional ballots. If that understanding is correct, voters who choose to mail their ballots may do so on or before Tuesday, November 3. However, it further appears that state law generally permits voters to apply for a ballot as late as 5 days before the November general election. If a voter submits a request at or near the ballot-request deadline, and if the ballot is transmitted to the voter by mail, there is a significant risk that the ballot will not reach the voter before Election Day, and accordingly that the voter will not be able to use the ballot to cast his or her vote. That risk is exacerbated by the fact that the law does not appear to require election officials to transmit a ballot until 2 business days after receiving a ballot application.

To be clear, the Postal Service is not purporting to definitively interpret the requirements of your state's election laws, and also is not recommending that such laws be changed to accommodate the Postal Service's delivery standards. By the same token, however, the Postal Service cannot adjust its delivery standards to accommodate the requirements of state election law. For this reason, the Postal Service asks that election officials keep the Postal Service's delivery standards and recommendations in mind when making decisions as to the appropriate means used to send a piece of Election Mail to voters, and when informing voters how to successfully participate in an election where they choose to use the mail. It is particularly important that voters be made aware of the transit times for mail (including mail-in ballots) so that they can make informed decisions about whether and when to (1) request a mail-in ballot, and (2) mail a completed ballot back to election officials.

We remain committed to sustaining the mail as a secure, efficient, and effective means to allow citizens to participate in the electoral process when election officials determine to utilize the mail as a part of their election system. Ensuring that you have an understanding of our operational capabilities and recommended timelines, and can educate voters accordingly, is important to achieving a successful election season. Please reach out to your assigned election mail coordinator to discuss the logistics of your mailings and the services that are available as well as any questions you may have. A list of election mail coordinators may be found on our website at: <https://about.usps.com/election-mail/politicalection-mail-coordinators.pdf>.

We hope the information contained in this letter is helpful, and please let me know if you have any questions or concerns.

Sincerely,



Thomas J. Marshall